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A MANUAL

OF

CIVIL GOVERNMENT

INTENDED FOR

PUBLIC INSTRUCTION

IN THE

STATE OF MISSOURI.

TO WHICH ARE APPENDED THE CONSTITUTION OF THE UNITED STATES AND
THE DECLARATION OF INDEPENDENCE.

BY

HENRY C. NORTHAM,

CONDUCTOR OF TEACHERS' INSTITUTES.

First Missouri Edition, edited by W. F. TEALL.



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CIVIL GOVERNMENT.

DEFINITIONS AND HISTORY OF OUR GOVERNMENT.

What is Government?

Government is the power which makes, construes, and executes the laws.

What is Civil Government?

Civil Government is that whose powers are vested in officers chosen by the people or appointed by authority.

What is the Science of civil government?

The science of civil government investigates the principles of a constitutional government, and illustrates its methods of operation.

What were the thirteen United States prior to the year 1776?

They were colonies subject to Great Britain.

FIRST CONTINENTAL CONGRESS.

When did the Congress known as the First Continental Congress meet?

The First Continental Congress assembled in "Carpenter's Hall," Philadelphia, and commenced work Sept. 5, 1774; it consisted of fifty-three delegates, and adjourned Oct. 26, after having provided for another

Congress to meet the following May. *Georgia* was not represented in this Congress.

NOTE.—It was in the First Congress that Patrick Henry used *these memorable words* :

“British oppression has effaced the boundaries of the several Colonies : the distinctions between Virginians, Pennsylvanians, New Yorkers, and New Englanders are no more. I AM NOT A VIRGINIAN BUT AN AMERICAN.”

SECOND CONTINENTAL CONGRESS.

When did the Second Continental Congress meet ?

The Second Continental Congress consisted of fifty-six delegates, and it met at “Independence Hall,” Philadelphia, May 10, 1775, and existed as a Congress until March 4, 1789. The members of this Congress adopted and signed the Declaration of Independence, in which for the first time the colonies received the name of the UNITED STATES OF AMERICA.

DECLARATION OF INDEPENDENCE.

What did Virginia ask Congress to do ?

Virginia, May 15, 1776, instructed her delegates in Congress to propose a *Declaration of the Independence* of the colonies.

What did Congress then do ?

Congress solemnly approached that great subject and resolved to appoint, and DID, on the 11th of June, 1776, appoint the following persons—Thomas Jefferson, John Adams, Benj. Franklin, Roger Sherman, and Robert R. Livingston, to draft a Declaration of Independence.

Who wrote the Declaration ?

Thomas Jefferson wrote it at the request of his associates. Two or three alterations, verbal only, were suggested by Franklin and Adams.

What did they say in the Preamble to the Declaration?

“A decent respect to the opinions of mankind requires that they should declare the causes which impel them to this separation.” See page 191.

What was the resolution introduced into Congress by Richard Henry Lee, and how was it disposed of?

On the 7th day of June, 1776, Mr. Lee introduced into Congress the following resolution, which was seconded by John Adams. A stormy debate followed from the 7th to the 10th: it was then postponed to July 1st. After discussion, Congress agreed to meet in “Committee of the Whole” the following day (July 2,) at which time the Committee of the Whole reported and the resolution was adopted in the following words:

Resolved, THAT THESE UNITED COLONIES ARE, AND, OF RIGHT OUGHT TO BE, FREE AND INDEPENDENT STATES: THAT THEY ARE ABSOLVED FROM ALL ALLEGIANCE TO THE BRITISH CROWN, AND THAT ALL POLITICAL CONNECTION BETWEEN THEM AND THE STATE OF GREAT BRITAIN, IS, AND OUGHT TO BE, TOTALLY DISSOLVED.

When was the Declaration of Independence adopted and signed?

The resolution of Mr. Lee was adopted July 2d by a vote of twelve colonies. (The delegates from New York, pending the decision of the question by the people of that colony, did not vote.)

July 4, 1776, the entire Declaration was adopted by the same vote. On the same day it was authenticated by the President and Secretary of Congress and published, but not then signed by the members.

Having been engrossed on parchment, it was signed August 2, 1776, by fifty-four delegates, and subsequently

by two others, making fifty-six in all, representing the thirteen colonies, the New York convention having approved the act July 9, 1776.

NOTES.—The story has come down to us, more than a hundred years old, that during these anxious hours while members were hesitating and debating on the 4th of July, the old bell-man had his hand on the bell-rope, and his little grandson standing where he could catch the first words of assurance that the Declaration was adopted, at the proper time shouted, "RING, GRANDPA, RING, OH RING FOR LIBERTY."

This prophetic bell (now called Independence Bell) was cast in England in 1752. It was rung *long* and *loud* to proclaim the Declaration, but was subsequently fractured, and now hangs in honored repose, as a sacred relic of the past. It was taken to New Orleans in 1885, and was on exhibition at the "Exposition" held there.

The following inscription was cast in the metal. "PROCLAIM LIBERTY THROUGHOUT ALL THE LAND, AND TO THE INHABITANTS THEREOF."

The following story in regard to Charles Carroll is worth remembering.

His name was among the first written, and as he affixed his signature a member observed, "THERE GO A FEW MILLIONS:" but adding, "*however, there are many Charles Carrolls, and the British will not know which one it is.*" Mr. Carroll immediately added to his name "*of Carrollton,*" and was afterward known as CHARLES CARROLL OF CARROLLTON.

Mr. Carroll, the last of the signers of the Declaration, died Nov. 13, 1832.

CONFEDERATION.

With what body of men did the Articles of Confederation originate?

They originated with the second Continental Congress.

When were they adopted?

The various resolutions and amendments that had been proposed were consolidated into thirteen articles, and adopted by Congress, Nov. 15, 1777, as the Articles of Confederation.

How many departments of government existed under the Confederation?

One, vested in a Congress in which no State should be represented by less than two or more than seven members: and each State had only a single vote.

There was no Judiciary.

There was no Executive.

What has been said of the Confederation?

“The United States in Congress” said a native critic of the Articles of Confederation, “have exclusive power for the following purposes without being able to execute one of them.”

1. “They make and conclude treaties, but can only *recommend* the observance of them.”

2. “They may appoint ambassadors, but cannot defray even the expenses of their tables.”

3. “They may borrow money in their own name on the faith of the Union, but cannot pay a dollar.”

4. “They may coin money, but cannot buy an ounce of bullion.”

5. “They may make war, and determine what number of troops are necessary, but cannot raise a single soldier.”

6. “In short they may *declare* everything but *do* nothing.”

NOTE.—Maryland was the last to ratify the Articles of Confederation in 1781, at which time they became binding upon all the States.

SESSIONS.

Where were the sessions of the Continental Congress held?

The *First* Continental Congress was held at Philadelphia, (Carpenter’s Hall) Sept. 5, 1774.

The *Second* Continental Congress was held at Philadelphia, (Independence Hall) May 10, 1775.
 Baltimore Dec. 20, 1776.
 Philadelphia, ... March 4, 1777.
 Lancaster, Pa. Sept. 27, 1777.
 York, Pa. Sept. 30, 1777.
 Philadelphia July 2, 1778.

Princeton, N. J.....	June 30, 1783.
Annapolis, Md.....	Nov. 26, 1783.
Trenton, N. J.....	Nov. 1, 1784.
New York.....	Jan. 11, 1785.

NOTE.—This Congress adjourned to meet at these different places for certain reasons, some members retiring from the office, others being elected to take their places, but it retained the name, "Second Continental Congress" until the Constitutional organization.

PRESIDENTS.

Who were the Presidents of the Continental Congresses and when elected?

FIRST CONGRESS.

Peyton Randolph, Va.....Sept. 5, 1774.
The First Congress ended Oct. 26, 1774.

SECOND CONGRESS.

Peyton Randolph, Va.....May 10, 1775.
John Hancock, Mass.....May 24, 1775.
Henry Laurens, S. C.....Nov. 1, 1777.
John Jay, N. Y.....Dec. 10, 1778.
Samuel Huntingdon, Conn.....Sept. 28, 1779.

CONFEDERATION.

On the 2d day of March, 1781, Congress assembled under the Confederation, the Articles having been ratified by the States.

Thomas McKean, Del.....July 10, 1781.
John Hanson, Md.....Nov. 5, 1781.
Elias Boudinot, N. Y.....Nov. 4, 1782.
Thomas Mifflin, Pa.....Nov. 3, 1783.
Richard Henry Lee, Va.....Nov. 30, 1784.
Nathaniel Gorham, Mass.....June 6, 1786.
Arthur St. Clair, Pa.....Feb. 2, 1787.
Cyrus Griffin, Va.....Jan. 22, 1788.

The Second Continental Congress ended March 4, 1789.

NOTE.—During the periods of the Revolution and Confederation, there were thirteen different Presidents, but all of their *executive power* was vested in Congress, which could only *recommend*, but not *demand*, any action for the public good. They were simply presiding officers.

Name some prominent men in each of these Congresses.

In the First Congress were George Washington, Patrick Henry, Richard Henry Lee, Edward Rutledge, John Rutledge, Samuel Adams, John Adams, Roger Sherman, Philip Livingston, John Jay, and others.

In the Second Congress were George Washington, Patrick Henry, Richard Henry Lee, Samuel Adams, John Adams, John Jay, Benj. Franklin, John Hancock, George Clinton, Robert R. Livingston, Thomas Jefferson, Charles Carroll of Carrollton, and others.

NOTE.—Study the biographies of these men.

CONSTITUTION.

How did the present Constitution of the United States originate, and how was it formed?

Feb. 21, 1787, the Second Continental Congress resolved that a convention, consisting of delegates from the several States, should meet at Philadelphia, on the second Monday in May, 1787, for the purpose of revising the Articles of Confederation, and report the same to Congress for ratification.

What did these delegates do?

These delegates (55 in number, Rhode Island not represented) met May 14, 1787, at Independence Hall, Philadelphia, and elected George Washington president of the convention. Being fully satisfied that something more than amendments to the Articles of Confederation

were needed, they proceeded to frame an entirely new constitution, consisting of *seven articles*, and on the 17th of September, 1787, they reported the same to Congress.

The Constitution was to go into operation when ratified by nine States. See page 129.

What did Congress then do?

Congress submitted the report, embracing the Constitution and Resolutions, to the legislatures of the several States, with the request that they be submitted to conventions of delegates chosen in each State by the people thereof.

How many States ratified the Constitution before it went into operation?

Eleven States ratified it. North Carolina ratified Nov. 21, 1789, and Rhode Island, May 29, 1790.

ELECTORS OF PRESIDENT AND VICE-PRESIDENT.

What did Congress then do?

The Second Continental Congress adopted Sept. 13, 1778, the following resolution:

Resolved, That the first Wednesday in January next, 1789, be the day for appointing electors in the several States, which, before the said day, shall have ratified the said Constitution: that the first Wednesday in February next, be the day for the electors to assemble in their respective States, and vote for a President: that the **FIRST WEDNESDAY** in March next, 1789, be the time, and New York (the present seat of Congress) the place for commencing proceedings under the Constitution.

NOTE.—Prior to 1821, the electors were chosen by the legislatures of the several States.

FOURTH OF MARCH.

What date was afterward fixed for the beginning of the Presidential term?

Congress passed a bill, which was approved March 1, 1792, as follows:

And be it further enacted, That the term of four years, for which a President and Vice-President shall be elected, shall, in all cases, commence on the *fourth day of March* next succeeding the day on which the votes of the *electors* shall have been given.

NOTE.—The FIRST WEDNESDAY in March, 1789, was the *fourth day* of March, and the *day of the month*, instead of the day of the week, was afterward recognized as the commencement of a Presidential term.

WHO MADE THE CONSTITUTION?

Who, then, framed and ratified the National Constitution?

THE PEOPLE, by their delegates in convention, framed it: THE PEOPLE, by their delegates in convention, ratified it; and the CONTINENTAL CONGRESS declared it ratified.

By Whom, and When, were the fifteen amendments prepared and ratified?

The first ten amendments were prepared by the first Congress under the Constitution, and ratified by the legislatures of ten States in 1791; the other amendments have been prepared in the same manner, the last one being ratified in 1870.

What Officer announces to the people the ratification of an amendment to the Constitution?

The action of State legislatures is transmitted to the Secretary of State; and when a sufficient number (three-fourths) of the legislatures of the several States have so

ratified, then the Secretary of State declares the amendment ratified.

For dates of ratification, see pp. 146-151.

STATE CONSTITUTION.

How was the State Constitution prepared and ratified?

The people of the State, by their delegates in convention, framed the constitution: the *people voted* for or against its ratification.

AMENDMENTS.

How may Amendments be made to the State Constitution?

The General Assembly may at any time propose such amendments to the Constitution as a majority of the members elected to each House shall deem expedient. Such proposed amendments shall be submitted to a vote of the people at the next general election, and if ratified shall become a part of the Constitution. [Art. XV.]

CONSTITUTION OF ENGLAND.

What is the Constitution of England?

The English Constitution is not a *formal written* instrument, adopted by, and ratified by conventions, but is the accumulated growth of all English history. It is comprehended in no single enactment, nor in the enactments of any single reign. It is composed of all the great charters and statutes that have been enacted from time to time since the reign of John (1199 to 1216), with such customs and precedents as have the sanction of long usage.

The United States Constitution is but a collection

and epitome, of the various charters of freedom that lie scattered all along the pathway of English history, arranged by a convention and sanctioned by the people.

SUMMARY.

What is the United States Constitution?

I. The Constitution is the Supreme Law of the land.

II. It is the great charter of our Liberties.

III. It is the *Magna Charta* of the United States.

IV. The people elected delegates to a National convention: the delegates in convention framed the constitution: it was then ratified by State conventions, composed of delegates chosen by the people,—hence the constitution *originated with the people*.

Why was the Constitution made?

I. In order to form a more perfect Union;

II. Establish justice;

III. Insure domestic tranquillity;

IV. Provide for the common defence;

V. Promote the general welfare;

VI. And secure the blessings of Liberty to ourselves and our posterity.

When was it made? See page 8.

Where was it made? See page 7.

STATE CONSTITUTION.³

What is the State Constitution?

I. It is the great fundamental law of the State.

II. It comes *directly from the people*, through their ratification, commencing with the following words:

We the people of Missouri, with profound reverence for the Supreme Ruler of the Universe, and grateful for His goodness, do, for the better government of the State, establish this Constitution.

DIVISION AND POWERS OF GOVERNMENT.

How many Divisions of Constitutional government in the United States?

There are two divisions,—National and State.

How many powers has each?

Each has three powers, namely: Legislative, Executive, and Judicial. See Chart. pp. 14, 15.

STATUTE LAW.

What is a Statute Law of Congress?

A Statute Law of Congress is a written or printed instrument (called a bill) ordaining or forbidding something to be done, that has been adopted by a majority of both Houses of Congress, and approved by the President.

The President's refusal to approve, is called a Veto; but a subsequent two-thirds vote of both Houses will make it a Statute Law without the President's consent.

What is a Statute Law of the General Assembly of Missouri?

It is a bill that has been adopted by a majority of both Houses of the General Assembly, and approved by the Governor, or passed over his veto.

All the statutes are revised once in ten years. [Const. Art. IV. Section 41.]

What divisions of government have been organized by Statute Law?

Congress organizes Territories and provides for their government (see page 72); admits new States (see

page 71); organizes and controls the District of Columbia (see page 73); defines the judicial circuits, and districts in the United States (see page 141).

The General Assembly organizes counties; defines congressional, senatorial, representative and judicial districts in the State; incorporates cities and villages; authorizes the county court to form new townships and school districts.

CHART.

NOTE.—Read from left to right in each division. The vertical column leading downward at the left names the Legislative powers in the different divisions. The second column names the Executive, the name placed first being the Chief Executive. The third column names the Judiciary. Figures indicate the number of officials in the office named.

QUESTIONS FOR THE CHART.

SCHOOL DISTRICT.

What are the powers of a School District?

The Legislative, Executive and Judicial powers exist in a school district.

How does it appear that the legal voters in a school district Legislate?

They adopt resolutions appropriating money for the purchase of school house sites; for building a school house; for repairs; for apparatus and other school purposes; hence the voters of a school district are legislators.

Who is the Chief Executive in a school district?

The Board of Trustees.

Who are the Judicial Officers in a school district?

The School Commissioners, and the Superintendent of Public Schools.

CHART

Presenting a tabular view of the nine divisions of government in the United States, and of that of England. The figures at the right indicate the number of officials.

LEGISLATIVE.	EXECUTIVE.	JUDICIAL.
Legal Voters at School Meetings.	Board of Directors (3).	School Commissioner and Sup't of Public Schools.
Township Board of Directors.	Constable (1). Trustee, <i>ex-officio</i> Treasurer. Clerk, Collector. Road Overseers, one to each district.	Justices of the Peace. Juries.
Board of Trustees (5) or (9).	Constable, or Marshall. Assessor. Collector. Treasurer.	Justices of the Peace. Juries.
1st Class City Municipal Assembly } Council (13), 2d Class City House of Delegates 3d " " City Council. 4th " " Board of Aldermen.	Mayor.	City Courts, Justices of the Peace. Special Criminal Court in St. Louis, Kansas City, and Springfield. Special Courts of Common Pleas in Louisiana, Hannibal, Cape Girardeau, and Sturgeon.
County Court (3).	Sheriff. County Clerk. Judges of County Court. Probate Judge. Recorder of Deeds. District Attorney.	County Court. Probate Court. Justices of the Peace. Juries } Grand. } Trial. Prosecuting Attorney. Spe- } Crim. Court of Johnson county. cial } " " Buchanan "

DISTRICT
(Organ-
ized un-
der Stat-
ute Law).

TOWNSHIP
(Organ-
ized under
Statute
Law).

VILLAGE
(Organ-
ized under
Statute
Law).

CITY
(Organized
under
Statute
Law).

COUNTY
(Organized
under
Statute
Law).

STATE (Organized under a Constitution.)	General Assembly { Senate (34). House of Representatives (140). }	Governor and State Officers.	Supreme Court. St. Louis Court of Appeals. Kansas City Court of Appeals. Circuit Courts. Attorney-General.
TERREITORY (Organized under State Law.)	Legislature { Senate (13). House of Representatives (26). }	Governor. Secretary. Auditor. Treasurer. Supt of Common Schools.	Supreme Court (3). District Courts. Probate Courts (in each county.) Justices of the Peace. Juries.
DISTRICT OF COLUMBIA	No Legislature. Elective Franchise abolished in 1874.	Commissioners (3).	Supreme Court (6) Juries.
UNITED STATES (Organized under a Constitution.)	Congress { Senate (84). House of Representatives (330). }	President and Cabinet.	Supreme Court (9). Circuit Courts (9). District Courts (69). Court of Claims (5). Attorney-General. Court of Impeachment, (Senate 84). Juries.
ENGLAND (Unwritten Constitution.)	Parliament { House of Lords. Spiritual (30). Temporal (?). House of Commons (658). }	King (or Queen) who rules through the Cabinet or ministry; namely: Prime Minister or Premier, Lord Chancellor, Lord Privy Seal, President of the Council, Home Secretary, Chancellor of the Exchequer, and others.	Court of Chancery. Queen's Bench. Common Pleas. Exchequer. High Court of Justiciary. Circuit Courts in the Rural Districts.

TOWNSHIP.

What are the powers of a Township?

See Chart.

Who are the Legislators in a Township?

The Board of Trustees.

Who is the Chief Executive in a Township?

See Chart.

Who are the Judicial Officers in a Township ?

See Chart.

COUNTY.

What are the powers of a County?

See Chart.

Who are the Legislators of a County?

See Chart.

Who is the Chief Executive in a County?

The Sheriff. See Chart.

Who are the Judicial Officers in a County?

See Chart.

STATE.

What are the powers of a State?

See Chart.

NOTE.—For further study of the State see pages 56-69.

PRESIDENTIAL VOTE, FROM 1789 TO DATE.

INAUG- URATED.	CANDIDATES.	PARTY.	POPULAR VOTE.	ELEC- TORS.
1789	George Washington.....		Elec. chosen by Legislature.	Unan.
1797	John Adams.....	Fed. . . .	" " "	71
	Thomas Jefferson.....	Dem. . . .	" " "	69
1801	Thomas Jefferson.....	Dem. . . .	Election went to H. of R.	73
	Aaron Burr.....	Dem. . . .	and Jefferson was elected	73
	John Adams.....	Fed. . . .	on the 36th ballot.	65
1805	Thomas Jefferson.....	Dem. . . .	Elec. chosen by Legislature.	148
	C. C. Pinckney.....	Fed. . . .	" " "	23
1809	James Madison.....	Dem. . . .	" " "	122
	C. C. Pinckney.....	Fed. . . .	" " "	47
1813	James Madison.....	Dem. . . .	" " "	123
	De Witt Clinton.....	Fed. . . .	" " "	89
1817	James Monroe.....	Dem. . . .	" " "	183
	Rufus King.....	Fed. . . .	" " "	34
1821	James Monroe.....	Dem. . . .	But 1 electoral vote in op...	
1825	J. Q. Adams.....	Fed. . . .	105,321. Elec. by H. of R.	84
	Andrew Jackson.....	Dem. . . .	155,872.	99
	W. H. Crawford.....	Dem. . . .	44,282.	41
	Henry Clay.....	Whig . . .	46,587.	37
1829	Andrew Jackson.....	Dem. . . .	647,231.	178
	J. Q. Adams.....	Fed. . . .	509,097.	83
1833	Andrew Jackson.....	Dem. . . .	687,502.	219
	Henry Clay.....	Whig . . .	530,189.	49
	John Floyd.....	Whig . . .	Not known.	11
	William West.....	Whig . . .	"	7
1837	Martin Van Buren.....	Dem. . . .	761,549.	170
	William H. Harrison.....	Whig . . .	736,656.	121
1841	William H. Harrison.....	Whig . . .	1,275,011.	234
	Martin Van Buren.....	Dem. . . .	1,135,761.	60
1845	James K. Polk.....	Dem. . . .	1,337,243.	170
	Henry Clay.....	Whig . . .	1,361,362.	105
1849	Zachary Taylor.....	Whig . . .	1,360,099.	163
	Lewis Cass.....	Dem. . . .	1,220,544.	127
	Martin Van Buren.....	Dem. . . .	291,263.	
1853	Franklin Pierce.....	Dem. . . .	1,601,474.	254
	Winfield Scott and others....	Whig . . .	1,542,403.	42
1857	James Buchanan.....	Dem. . . .	1,838,169.	174
	John C. Fremont and others..	Rep. . . .	2,215,798.	122
1861	Abraham Lincoln.....	Rep. . . .	1,866,352.	180
	J. C. Breckenridge and others.	Dem. . . .	2,810,501.	123
1865	Abraham Lincoln.....	Rep. . . .	2,216,067.	213
	Geo. B. McClellan.....	Dem. . . .	1,808,725.	21
1869	Ulysses S. Grant.....	Rep. . . .	3,015,071.	214
	Horatio Seymour.....	Dem. . . .	2,709,613.	80
1873	Ulysses S. Grant.....	Rep. . . .	3,597,070.	300
	Horace Greeley.....	L. & D.	2,834,079.	66

INAUG- URATED.	CANDIDATES.	PARTY.	POPULAR VOTE.	ELEC- TORS.
1877	Rutherford B. Hayes.....	Rep....	4,049,096.....	185
	Samuel J. Tilden.....	Dem....	4,315,801.....	184
	Peter Cooper.....	G'b'k....	81,907.....	
1881	James A. Garfield.....	Rep....	4,450,921.....	214
	Winfield S. Hancock.....	Dem....	4,447,888.....	155*
	J. B. Weaver.....	G'b'k....	307,740.....	
1885	Grover Cleveland.....	Dem....	5,874,118.....	219
	James G. Blaine.....	Rep....	4,849,850.....	182
	Benjamin F. Butler.....	G'b'k....	184,948.....	
	John P. St. John.....	Pro....	149,326.....	
1889	Benjamin Harrison.....	Rep....	5,439,853.....	233
	Grover Cleveland.....	Dem....	5,540,329.....	168
	Clinton B. Fisk.....	Pro....	249,506.....	
	Scattering.....		151,344.....	

* Including Georgia's votes, not counted.

NOTE.—The one vote in 1821 was cast for John Quincy Adams by an elector from New Hampshire.

PRESIDENT HARRISON'S CABINET.

Secretary of State.....James G. Blaine.

Secretary of Treasury.....William Windom.

Secretary of War.....Redfield Proctor.

Secretary of Navy.....Benjamin F. Tracy.

Secretary of Interior.....John W. Noble.

Post Master General.....John Wanamaker.

Attorney General.....W. H. H. Miller.

Secretary of Agriculture.....Jeremiah M. Rusk.

NOTE.—In case of new appointments to fill vacancies, insert them on the intermediate lines.

UNITED STATES.

What are the powers of the United States?

See Chart.

NOTE.—For the further study of the United States Congress see pages from 99 onward.

For the further study of the Executive, see pages 87-95. For the Cabinet see pages 95-98.

For the Judiciary see pages 75-86.

TERRITORIES.

What are the powers of Territories?

See chart and pages 72, 73.

How many members in the Legislature of a Territory?

Each Territory has thirteen members in its Council, and twenty-six members in its House of Representatives.

NOTE.—The Council is equivalent to our State Senate, the House of Representatives to our Assembly.

What Officers of a Territory are elected by the people?

See page 72.

What Officers of a Territory are elected by the Territorial Legislature?

See page 72.

What Officers of a Territory are appointed by the President and Senate?

See page 72.

DISTRICT OF COLUMBIA.

What are the powers of the District of Columbia?

It has *two* powers, namely: Executive and Judicial.
See Chart.

What Officers are Elected by the people in the District of Columbia?

See pages 73 and 74.

What Officers are Appointed by the President and Senate in the District of Columbia?

See page 73.

ENGLAND.

NOTE.—England is placed in the Chart to show the similarity between its government and ours, and is intended more particularly for advanced students.

What is the Constitution of England?

It is unwritten, and is composed of all the great Charters and Statutes that have been enacted since the reign of King John, who left the throne of England, 1216, after reigning 17 years.

NOTE.—In the Valley of Runnymede, in the year 1215, King John was compelled to assent to the terms of the barons, and to sign the *Magna Charta*, the most remarkable instrument known in English history, of which the following are the most important sections:

Section 45. "No freeman shall be taken, or disseized, or outlawed, or banished, or anywise injured, nor will we pass upon him, nor send upon him, unless by the legal judgment of his peers, or by the law of the land."

Section 46. "We will sell to no man, we will not deny or delay to any man, right or justice."

In other sections "the royal prerogative was limited and defined; the rights of the Church guaranteed; the Feudal system relieved of some of its grievances; unlawful fines and punishments forbidden; the free disposal of personal property by will allowed; the means of obtaining a livelihood, such as the tools of the mechanic and the goods of the merchant were exempt from fine or forfeiture for crime; fines were to be proportionate to the offence; the Circuit Courts brought into the neighborhood of all; and the liberties and customs of free towns confirmed."

These provisions are to-day the basis and the bulwark of those rights and immunities that make England and America the freest countries on earth.

How many powers in the Government of England?

See Chart.

Of what is the House of Lords composed?

The House of Lords is composed of Lords spiritual and Lords temporal.

NOTE 1.—There are 30 Lords spiritual, namely, 26 of the Church of England, and 4 of the Irish Church. Of these, 4 are Archbishops, and 26 are Bishops.

NOTE 2.—The Lords temporal, in England, are hereditary, and their number varies. There are 26 Irish nobles, and 16 Scottish nobles, who are elected by the nobility,—those from Ireland for life, and those from Scotland for a year.

Who is the Speaker of the House of Lords?

The Lord Chancellor, Lord Keeper of the Great Seal, is Speaker of the House of Lords.

What is the House of Commons?

The House of Commons consists of 658 representatives of counties, cities, boroughs, and some of the Universities as follows: England and Wales, 500; Ireland, 135; Scotland, 53.

Where can Bills originate?

All bills appropriating money must originate in the House of Commons (corresponding with our House of Representatives). Others may originate in either house.

NOTE.—Every bill must be read, and passed by a majority vote, three times in each house, and receive the royal signature before it can become a law.

Who is the Speaker of the House of Commons?

The House of Commons elects its own Speaker.

Who can vote in England?

Those citizens who occupy, as owner or tenant, any house or other building of the clear yearly value of not less than ten pounds sterling, provided they have paid the poor rates and assessed taxes, may vote for the members of the House of Commons.

JUDICIARY.

By how many kinds of Law is justice administered in England?

There are three kinds of law,—Common law, Statute law, and the law of Equity.

What is Common law?

Common law is based on custom, or precedents established by former decisions of the courts of justice.

What is Statute law?

Statute law consists of the acts of Parliament.

What is the law of Equity?

The law of Equity is administered by the Lord Chancellor, in cases not covered by Statute law, and where justice cannot be secured by Common law.

DISTRICTS.

Officers are elected to administer the government for

{	I. United States. II. Each State. III. Counties. IV. Cities. V. Villages. VI. Townships. VII. Districts.
---	--

The following are names given to some of the different kinds of districts in the State of Missouri.

{	I. Road, School and Election Districts. II. Representative Districts. III. Senatorial Districts. IV. Congressional “ V. Judicial “ VI. Electoral “
---	---

Which are the smallest districts named ?

Road, School, and Election Districts.

What is a Road District ?

A school district, or several school districts placed under the charge of an officer, whose duty it is to see that the roads are kept in good condition.

What is an Election District ?

A whole or a part of a township, or ward, if in a city, in which all the voting is done at one precinct.

DISTRICTS.

What is a School District ?

A whole or part of a township or parts of two or more

townships placed under the care of officers, whose duties are to maintain a public school in and for the district.

What is a Representative District?

A whole or a portion of a county set off for the purpose of electing a member of the House of Representatives of the State of Missouri.

What is a Senatorial District?

A portion of a county, a whole county (Jackson only), or several counties combined for the purpose of electing a State Senator; the amount of territory depending upon population.

What is a Judicial District?

One or more counties in which a Circuit Court is held.

What is a Congressional District?

A portion of a county or several counties combined for the purpose of electing a Representative to Congress, the amount of territory depending on the population.

What is an Electoral District?

The same territory as a Congressional District, for the purpose of electing an "elector."

Name the Civil Divisions in regular order, and tell what a combination of each forms.

Road and School districts form townships; townships form counties; counties when united form a State, and also Senatorial, Congressional and Judicial districts form a State. States when united form a Union.

What kinds of Townships are there?

There are Congressional and Municipal townships.

What is a Congressional Township?

A square area, containing thirty-six square miles, formed by surveys made under law of Congress.

What is a Municipal Township?

One of the divisions of a county. Its purpose in counties having "township organization" is to elect certain officers to manage its own local affairs.

What is a Village?

In the "popular sense," it is a small collection of houses.

It may be incorporated.

What is a Town?

A larger collection of houses than for a village, in the "popular sense."

When incorporated it becomes a village or a city.

What is a County?

One of the divisions of a State, separated from other divisions, empowered to elect certain officers for the administration of its own local affairs.

Into how many Counties is the State of Missouri divided?

Into 114 counties and one city.

Into how many Representative districts?

Into 140.

Into how many Senatorial districts?

Into 34.

Into how many Judicial districts?

Into 30.

Into how many Congressional districts?

Into 14.

How are Road districts formed?

By the County Court.

How are School districts formed?

By a vote of the citizens.

What power defines the number of Representative, Senatorial and Judicial districts?

The State Constitution.

What power decides upon the number of Congressional districts?

The Congress of the United States.

How are Municipal Townships formed?

By the County Court. They are required to notify the Secretary of State of such formations, or of any changes made.

How are new Counties organized?

By an act of the General Assembly, upon a vote of the inhabitants consenting to such organization.

SCHOOL DISTRICT.

What is a school district?

How many school districts in your township?

How many school districts in your county?

In what officers is the government of a school district vested?

In a Board of Directors, composed of three members.

What are the Qualifications and Term of Office of Directors?

They must be resident taxpayers, and are elected for three years, one every year.

What Officer are they permitted to have?

A District Clerk appointed by the board.

How are Vacancies in the Board filled?

If there be only one vacancy, it is filled by the board. if more than one, by the county commissioner.

DUTIES.

What are the duties of the Board of Directors?

I. To have care and keeping of the school house and all property belonging to the district, and to keep the same in repair.

II. To provide necessary apparatus for the school room.

III. To provide for the admission of non-resident pupils.

IV. To employ a legally qualified teacher for the time voted at the annual meeting, not less than six months.

V. To make and forward to the county clerk an enumeration list of all children of school age, during the first fifteen days of May.

VI. To make an estimate of the funds necessary to sustain the school, and for other expenditures of the district, and to forward the same to the county clerk on or before the fifteenth day of May.

What are the duties of the District Clerk?

I. To keep the record of the board meetings, and all records belonging to the district.

II. To make an annual report to the county commissioner as provided by law.

III. To make copies of all papers, contracts, etc., relating to the business of the district.

SALARIES.

How are these officers paid?

They do their work without pay.

How shall we find hereafter that officers are paid?

Some are paid an annual salary; some by the day; some by a fee; some by a per cent.

What is meant by a Salary? a Fee? a Per Cent.?

SCHOOL MEETING.

When is the annual School Meeting held?

On the first Tuesday in April, at the district school house, beginning at 2 P. M.

How are Special meetings called?

By the directors upon a petition of a majority of the voters.

The notice must be posted up fifteen days before time

for the meeting. When there are no directors, the county court must order a special meeting for the election of directors, upon the receipt of a petition signed by five citizens of the district.

Are white and colored children allowed to attend the same school?

No; separate schools must be provided for colored children; colored children must attend those schools.

How many colored children must there be in a district before a special school shall be established for them?

At least 15.

What constitutes a school day, week, month and year?

The day consists of six hours' school; the week of five days; the month of four weeks; the school year commences on July 1, and ends June 30.

What days are legal Holidays?

February 22, July 4, Thanksgiving Day, and December 25.

When is Arbor Day?

The first Friday after the first Tuesday in April.

When may a city, town or village organize as a Special School District?

When a plat of the city, town or village has been filed with the county records.

How many Directors do such school districts have?

Six, elected for three years.

When is the Election held in such districts?

On the first Tuesday in April of each year, from 7 A. M. until 6 o'clock P. M.

NOTE.—In cities and towns having 2,000 inhabitants and not to exceed 100,000 inhabitants the school election is held at the same time and places as the election for municipal officers.

What Officers do the board of directors appoint?

A secretary and a treasurer.

For what Length of Time shall the school be held each year?

For not less than seven months and not more than
ten months.

VILLAGE.

Villages are of what kind?

Unincorporated and incorporated.

By what power are villages Incorporated?

By the County Court, upon a petition signed by at least two-thirds of the taxable citizens.

In whom are the Corporate Powers for a Village vested?

In a Board of Trustees.

NOTE.—The board consists of five members if the village has less than twenty-five hundred inhabitants, and of nine when the number exceeds twenty-five hundred.

What are the Qualifications of a Village Trustee?

1. He must be a male citizen of the United States.
2. He must be twenty-one years of age.
3. He must be a householder.
4. He must have resided continuously in the village twelve months before the election.

What must a trustee do before entering upon the duties of office?

He must take an oath to obey the Constitutions of the United States and of the State of Missouri, and to demean himself faithfully in office.

Who is the Presiding Officer of the Board?

A chairman appointed by the board within twenty days after election.

When is the Board of Trustees elected?

On the next Tuesday after the first Monday in April.

What may be done with a disorderly member of the board?

He may be expelled by the affirmative vote of four of the trustees.

How long does a Trustee hold office?

One year.

How many trustees constitute a Quorum?

A majority of the board.

How are Vacancies in the board of trustees filled?

By special election.

What Village Officers are appointed by the board of trustees?

Assessors, collector, constable or marshal, trustees, and such others as it may deem necessary.

What power has authority to change the Name of a Village?

The Secretary of State, upon a petition signed by one-half the electors who voted at the last municipal election.

How may a village Disincorporate?

The county court upon receiving a petition signed by three-fourths of the legal voters may disincorporate a village.

CITY.

What is a City?

By what authority Organized?

Under constitutional law, by vote of the people.

What are the Divisions of a city called?

Wards.

How populous must a village be, before it can be incorporated as a city?

It must have at least 500 inhabitants.

What Steps are necessary?

Whenever a majority of the voters in a village desire it they may organize as a city by application to the county court.

How are cities Classified?

According to population, into four classes—namely: first, second, third, and fourth.

NOTE.—The classification of communities by population may be presented as follows:

A village contains less than 500 inhabitants.

A city of the fourth class contains from 500 to 5,000 inhabitants.

"	"	third	"	"	"	5,000 to 30,000	"
---	---	-------	---	---	---	-----------------	---

"	"	second	"	"	"	30,000 to 100,000	"
---	---	--------	---	---	---	-------------------	---

"	"	first	"	"	"	100,000 inhabitants or more.	
---	---	-------	---	---	---	------------------------------	--

How many Wards is a city required to have?

Fourth-class cities must have at least 2; third-class cities must have at least 4.

What is the Executive Officer of a city called?

The Mayor. He is usually elected for two years, but in first-class cities for four years.

What is the Legislative Body called?

In fourth-class cities, the Board of Aldermen; in third- and second-class cities, the Common Council; in first-class cities, the Municipal Assembly, which is further divided into: (a) the Council; (b) the House of Delegates.

Name the Officers of a fourth-class city and their terms?

- | | |
|---|--|
| 1. Mayor | } Elected by the people every two years. |
| 2. Marshal | |
| 3. Collector | |
| 4. Two Aldermen from each ward, one elected annually. | |
| 5. City Clerk, elected by the Board of Aldermen. | |
| 6. Treasurer | } Appointed by the Mayor, with consent of the Board of Aldermen. |
| 7. Street Commissioner | |
| 8. City Attorney | |
| 9. Assistant Marshal | } Elected by the Board of Aldermen. |
| 10. Policemen | |

What additional officers are there in cities of the third class?

Recorder and Assessor.

What Officers are elected by the people of a city of the third class?

- | | |
|--------------|-------------------|
| 1. Mayor. | 4. City Attorney. |
| 2. Marshal. | 5. Collector. |
| 3. Recorder. | 6. Treasurer. |

Name the Elective Officers of a city of the second class.

- | | |
|--------------------|-------------------|
| 1. Mayor. | 3. City Attorney. |
| 2. City Recorder. | 4. City Auditor. |
| 5. City Treasurer. | |

Name the Appointive Officers of a city of the second class.

- | | |
|----------------------|--------------------|
| 1. City Clerk. | 3. City Assessor. |
| 2. City Engineer. | 4. City Counselor. |
| 5. City Comptroller. | |

What is their Term of Office ?

Two years.

Name the Elective Officers of a city of the first class.

- | | | |
|-----------------|---------------|-------------|
| 1. Mayor. | 4. Auditor. | 7. Sheriff. |
| 2. Comptroller. | 5. Treasurer. | 8. Coroner. |
| 3. Register. | 6. Collector. | 9. Marshal. |
10. Inspector of Weights and Measures.
 11. Public Administrator.
 12. President of Board of Assessors.
 13. President of the Board of Public Improvement.
 14. Recorder of Deeds.

Name the Appointive Officers of a city of the first class.

- | | |
|------------------------|------------------------------|
| 1. Recorder of Votes. | 5. Jailor. |
| 2. City Counselor. | 6. Assessor of Water Rates. |
| 3. District Assessors. | 7. Two Police Justices. |
| 4. Attorney. | 8. Commissioner of Supplies. |
9. Superintendent of Workhouses.
 10. Superintendent of House of Refuge.
 11. Superintendent of Fire and Police Telegraph.
 12. A Gas Commissioner, when the city owns gas works.
 13. Five Commissioners on Charitable Institutions.
 14. Five Commissioners on streets, sewers, water-supply, harbor and wharf.

What is their term of office ?

Generally four years, but in the House of Delegates two years.

What must the officers do before entering on the duties of office?

Take the oath of office.

What are the Qualifications of an officer of a city of the first class?

He must be a citizen of the United States and must have been a resident of the city for two years: must be able to read and write the English language: and must not hold any federal office, except that of Commissioner of Charitable Institutions.

What Courts exist in cities in addition to those established for the State at large?

Each has a city court.

NOTE.—For Special city courts, see Judiciary, pages 78, 79.

What Officer holds the city court?

In first-class cities, the Police Justice; in second- and third-class cities, the Recorder; in fourth-class cities, the Police Judge.

When are city Elections held?

In first-, third-, and fourth-class cities on the first Tuesday in April; in second-class cities, on the first Tuesday after the first Monday in April.

MUNICIPAL TOWNSHIP.

What is a Township?

How many Townships in your county?

What are the powers of a Township?

I. To sue and to be sued.

II. To purchase and to hold real estate within its own limits for the use of its inhabitants.

III. To make such contracts, and to purchase and hold such personal property as may be necessary to the exercise of its corporate powers.

IV. To use or dispose of its corporate property in such manner as may be to the best interest of the inhabitants.

V. To purchase at public sale any real estate which may be necessary to secure any debt, and to dispose of the same.

When is the township Election held?

Biennially, on the last Tuesday in March at the usual place of voting.

What are the Qualifications of a voter at the township election?

The same as at the general election of the State.
See page 70.

What power appoints Judges of township election?

Judges of township election are appointed by the township board.

They have power to appoint two clerks of election.

What must be done if no judges of election appear on that day for township election?

The electors present have power to choose from their number men to act as judges.

What are the Names of the officers in a township, and the Number of officials in each?

I. One trustee who is *ex-officio* Treasurer of the township.

II. One Township Clerk, who is *ex-officio* Township Assessor.

III. One Township Collector.

IV. One Constable.

V. Two Justices of the Peace.

VI. One Road Overseer for each road district.

VII. Judges of Election.

VIII. Two members of the Township Board.

NOTE.—Townships having over two thousand inhabitants may elect an additional justice of the peace for every two thousand inhabitants, until the population reaches six thousand, after which the number of justices shall not be increased.

DUTIES.

What are some of the Duties of these officers?

I. TRUSTEE, EX-OFFICIO TREASURER.

I. To receive all moneys belonging to the township, and pay out the same by order of the Township Boards of School Directors.

II. To receive all school money belonging to the township, and pay out the same by order of the School Directors.

III. To bring suit in the name of the township for all penalties and forfeitures given by law to such township in all cases where no other officer is especially directed to prosecute.

II. TOWNSHIP CLERK, EX-OFFICIO TOWNSHIP ASSESSOR.

I. To keep the records of the township.

II. To be clerk of the township board of directors.

III. To keep in his custody all books, papers, and records belonging to the township.

IV. To administer the oath of office to all township officers, and all necessary oaths required in the transaction of township business.

V. To return lists of the names of all justices and constables to the county clerk immediately after they are elected and qualified.

VI. Under direction of the township board, and at the township expense, to procure all necessary record books, and other books and stationery for the use of the township.

VII. To make an inventory in a book furnished by the county of all real and personal property together with its value and the name of the owners.

VIII. To file the assessment lists with the county clerk.

NOTE.—All blank lists, books and stationery necessary for assesment are furnished by the county.

IX. To transmit to the county clerk a list of township officers elected within five days after election.

X. To notify all persons elected to township office.

III. TOWNSHIP COLLECTOR.

I. To receive the tax list and warrant from the county clerk, and collect the tax.

II. To pay over school and township money to the township trustee, and State and county money to the county treasurer.

III. To make a return of all the delinquent or unpaid taxes to the county treasurer.

NOTE.—When there is a City, Town or Village School in the township the collector must pay over the money belonging to such district to the treasurer of that district.

IV. CONSTABLES.

I. To serve warrants, writs of attachment, subpoenas, and all other processes, both civil and criminal, and to perform such other duties as may be prescribed by law.

II. To collect moneys when directed by a justice of the peace.

III. To appoint deputies.

NOTE.—Their jurisdiction does not extend beyond the county.

V. JUSTICES OF THE PEACE.—(Justice Court.)

I. They are the judicial officers of the township, issue summons, subpoenas, warrants and attachments, administer oaths, etc.

II. They hold justice court for trial of civil suits where the value does not exceed fifty dollars, and have concurrent jurisdiction with the circuit court in cases over fifty dollars valuation and not to exceed one hundred and fifty dollars, except in counties and cities having 50,000 inhabitants, when the amount may be not to exceed two hundred and fifty dollars.

III. They have concurrent jurisdiction with the circuit court over all cases of misdemeanor.

IV. ROAD OVERSEERS.

I. To repair and keep in good order the highways and bridges in the several districts for which they are elected.

II. To see that hedges are kept cut down to proper height.

III. To warn all persons from whom road labor is due, to work on the highway, at such time and place as they think proper.

IV. To collect all fines and commutations for road purposes.

V. To make a report to the township clerk.

VII. JUDGES OF ELECTION.

I. To receive the votes of the legally qualified voters at township elections.

II. To open and canvass the votes.

III. To file the poll-book, together with the ballots, in the office of the township-clerk.

SALARY.

How are these officers paid?

I. The Township Trustee receives \$1.50 per day while attending the duties of trustee.

As Treasurer, he receives two per cent for receiving and disbursing all moneys coming into his hands, when the sum does not exceed \$1,000, and one per cent for all sums over that amount.

II. The Township Clerk as clerk, receives \$1.50 per day. For the following services he receives fees and salary by the day:

(1) For serving notices of election or appointment upon township officers as required by law, 25 cts. each; (2) for filing any instrument of writing 10 cts.; (3) for recording any order or instrument of writing authorized by law 10 cts. for every hundred words; (4) for copying and certifying any record in his office, 10 cts. for every hundred words, to be paid by the person applying for the same.

As Assessor he receives (5) 15 cts. for each list of personal property, and (6) 10 cents for each list of real estate taken.

III. The Collector receives a per cent fixed by law on moneys collected.

IV. The Constable receives fees and percentages fixed by law.

V. The Justices of Peace, Overseer of the Highways, Judges, and Clerks of Elections each receive for their services \$1.50 per day.

NOTE.—No justice of the peace or other township officer is entitled to any fee from any officer for administering the oath of office.

What must all officers do before entering upon their duties?

They must qualify, that is, take the oath of office.

Who can administer the oath of office?

The township clerk, and justices of the peace.

What township officers must give Bonds for the proper discharge of duty?

The township trustee and *ex-officio* treasurer, collectors, overseers of the highways, and constables.

How long do township officers hold office?

Two years, and until their successors are elected and qualified; except justices of the peace who hold office four years, and road overseers who hold office one year.

What is the penalty if a person who is elected or appointed to township offices refuses to serve?

He must pay a fine of \$5.00 into the contingent fund of the township.

What two offices may be held by the same person?

Constable and Collector; also member of Township Board and Justice of the Peace.

Of what officers is the township Board of Directors composed?

Of the township trustee and two members elected at the township election. The township clerk is clerk of the Board of Directors.

Name some of their duties?

I. To audit all accounts of the township officers except that of the assessor, for services rendered as such officers.

II. To audit all other accounts or demands legally presented to them against the township.

III. To levy all taxes for township, road and bridge purposes.

There are also other minor duties.

Who are Eligible to township offices?

The legally qualified voters.

What is the special qualification of Road Overseer?

He must be a resident tax-payer in the district for a whole year previous to election.

How are Vacancies in the township offices filled?

By the township board of directors, except vacancies in the township board or justice of the peace which are filled by the county court.

CONGRESSIONAL TOWNSHIP.

What is a Congressional Township?

How are townships numbered?

North and south from the base lines.

What are Base Lines?

Lines established by the Congressional Survey extending east and west along certain parallels, from which to number the townships.

What are Township Lines?

Lines six miles apart and parallel with the base lines. By these lines the entire county is divided into strips six miles wide and extending east and west through those States surveyed under the order of Congress.

What are the Principal Meridians?

Lines established at the same time the Base Lines were, and extending north and south, from which the ranges are numbered east and west.

What are Range Lines?

Lines six miles apart and parallel with the principal meridians. By these the entire country is divided into strips six miles wide and extending north and south through those States surveyed under the order of Congress.

Into what do the Township and Range Lines divide the country?

Into squares, six miles on a side, called townships.

In what direction are the townships numbered?

The townships are numbered north and south from the base lines.

In what direction are the ranges numbered?

The ranges are numbered east and west from the principal meridians.

Where is the Base Line from which the townships of Missouri are numbered?

It extends through northern Arkansas.

Where is the Principal Meridian from which the ranges of Missouri are numbered?

The fifth principal meridian, extending through this State 36 miles west of St. Louis.

Into what Divisions are the townships divided?

Into sections of 36 square miles each.

How are the Sections numbered?

Alternately from east to west and from west to east, always commencing at the northeast corner of the township; hence section 12 always bounds section 1 on the south, and number 36 is in the southeast corner.

How many Acres in each Section?

Each section contains 640 acres.

How are the sections divided?

Into quarter sections of 160 acres each, and each quarter section is subdivided into quarters of 40 acres each.

Diagram showing the intersection of a base-line AB, and a principal meridian CD. The figures on the base-line mark the range and those on the principal meridian mark the townships: E is range 3 west, and township 5 south; F is range 6 east and township 4 south; G is range 5 east and township 5 north; H is range 4 west and township 2 north.

NOTE.—The 3d and 4th principal meridians are in Illinois; the 5th principal meridian is 36 miles west of St. Louis; the 6th principal meridian passes through Wichita, Kansas.

CONGRESSIONAL TOWNSHIPS.

						C						
							6					
							5			G		
							4					
							3					
							2					
		II					1					
6	5	4	3	2	1		1	2	3	4	5	6
A												B
							1					
							2					
							3					
							4				F	
		E					5					
							6					
						D						

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

Diagram of range 4 west of the 5th principal meridian and township 41 north of the base-line of northern Arkansas, divided into townships of 640 acres each.

a	b		
c	d		
		e	f
		g	h

Diagram of section number 14, divided into tracts of 40 acres each.

If a, b, c, and d comprised one farm, 160 acres, it would be described as "the N. W. $\frac{1}{4}$ of section 14, township 41, north, range 4 west of the 5th principal meridian.

Lot c would be described as the S. W. $\frac{1}{4}$ of the N. W. $\frac{1}{4}$ of section 14, township 41 north, range 4 west of the 5th principal meridian. Lot f would be N. E. $\frac{1}{4}$ of the S. E. $\frac{1}{4}$ of section 14, etc.

COUNTY.

What is a County?

By what Authority organized?

How many Counties in this State?

When are the County Officers elected?

They are elected at the annual election which is held on Tuesday after the first Monday in November of every second year.

What officers constitute the board for receiving, depositing and counting the ballots at the biennial election?

Four judges of election in each election district or precinct, appointed by county court.

What are the Names of the county officers, and their Terms of Office?

I. Sheriff, elected for two years.

II. Three Judges of the County Court. The presiding judge is elected from the entire county for four years, and each of the associate judges for their respective districts for two years, the county being divided into two districts for the purpose.

III. Probate Judge, elected for four years.

IV. Prosecuting Attorney elected for two years.

V. Clerk of the Circuit Court elected for four years.

VI. Clerk of the County Court, elected for four years.

VII. Recorder of Deeds, elected for four years.

VIII. Collector, elected for two years.

IX. Treasurer, elected for two years.

X. Assessor, elected for two years.

XI. Public Administrator, elected for four years.

- XII. Surveyor, elected for four years.
- XIII. Coroner, elected for two years.
- XIV. School Commissioner, elected for two years.
- XV. Justices of the Peace, see Township, page 40.
- XVI. Constables, elected for two years.

ELIGIBILITY.

What are the requirements for Eligibility to these offices.

The judges of the county court and the probate judge must be citizens of the United States, resident of the county one year, and twenty-four years of age.

The prosecuting attorney must be learned in the law.

The clerks of the county and circuit courts must be citizens of the United States and twenty-one years of age.

No sheriff, marshall, clerk, or collector, or their deputy is eligible to the office of treasurer.

The school commissioner must possess the qualifications of a competent teacher of the public schools, be a qualified voter of the county, and of good moral character.

No other special conditions are required.

DUTIES.

What are a few of their duties?

I. SHERIFF.

- I. He is the executive officer of the county.
- II. Either in person or through his deputies executes processes within the county.
- III. Attends all courts of record.
- IV. Has charge of county jail and prisoners.
- V. Summons jurors.

II. COUNTY COURT.

I. Must hold four terms per year, and may hold special terms or adjourned terms.

II. May loan county's money on first mortgage real estate.

III. May invest county's money in United States or Missouri bonds.

IV. Has control of the property of the county.

V. Audits accounts against the county.

VI. Settles with county treasurer.

VII. Approves bonds of officers.

VIII. Determines what bridges shall be built and maintained at county expense.

III. PROBATE JUDGE.—Probate Court.

I. Attends to the settlement of property of deceased persons, and of property in the hands of administrators or executors, or in the hands of public administration.

II. Appoints guardians over minors, those of unsound mind, and those not capable of attending to their own affairs.

III. May solemnize marriage.

IV. Has supervision of apprentices.

IV. PROSECUTING ATTORNEY.

I. Looks after civil and criminal matters in his county, in which the State or his county are interested, and prosecutes or defends in circuit court.

II. Looks after the interests of the county wherever directed by county court.

III. Advises county court upon legal questions.

IV. Advises the grand jury during their sessions.

V. Is the legal advisor of county officers, justices, constables, and road overseers in his county.

V. CIRCUIT CLERK.

I. Keeps all records pertaining to the circuit court.

II. If the circuit judge is absent, holds an election for special judge, the members of the bar not less than five being the voters.

VI. COUNTY CLERK.

I. Keeps an account of all moneys due the county.

II. Keeps an account of all moneys paid into the county treasury.

III. Keeps all papers of the county and certifies copies with the seal.

IV. Issues warrants on the treasurer for money that has been ordered paid.

V. Must keep a record of the proceedings of the county court.

VI. Must make an annual report to the State Superintendent of Public Schools.

VII. RECORDER OF DEEDS.

I. Records all deeds, mortgages, bonds, and all papers concerning real or personal property.

II. Has in custody all deeds and other papers received from the Spanish or French government at time of the Louisiana Purchase.

III. Records and issues marriage licenses.

IV. Records all official bonds.

VIII. COLLECTOR.

Collects all moneys belonging to the county, State, and schools, and pays them over to the county treasurer.

IX. TREASURER.

I. Receives the moneys collected by the several township collectors for county and State, or in counties not having township organization, from the county collectors.

II. Pays over to the State treasurer the amount going to the State.

III. Pays out the money belonging to the county according to law.

IV. In counties having township organization is *ex-officio* collector, and as such collects delinquent taxes, and revenues arising from excises and all other sources except that on real and personal property.

X. ASSESSOR.

See Township, page 39.

XI. PUBLIC ADMINISTRATOR.

Takes charge of the estates of deceased persons who have no heirs, who leave no will, or who die as strangers, or when the property is likely to be wasted, or when the court orders him to take charge of an estate.

XII. SURVEYOR.

I. Executes orders of courts of record.

II. Surveys land for any one when called upon to do so and tendered fees.

III. Must keep record of all surveys as directed by law.

XIII. CORONER.

I. Inquires into all matters pertaining to persons slain, or who have died mysteriously, or by casualty.

II. Summons a jury, subpoenas witnesses, and ascertains so far as possible all facts pertaining to the death of such persons.

III. May execute processes when there is a vacancy in office of sheriff.

IV. Administers oath to jury and witnesses.

XIV. SCHOOL COMMISSIONER.

I. Examines all persons desiring certificates to teach, and grants certificates to those who are qualified.

II. Makes an annual report to the State Superintendent of Public Schools.

III. Distributes blanks furnished by the State Superintendent to the several districts.

XV. JUSTICES OF THE PEACE.

See Township, page 40.

XVI. CONSTABLE.

See Township, page 40.

SALARIES.

I. 1. The Sheriff is paid by the day for attending court.

2. He also receives fees, percentages, and mileage.

II. The Judges of the county court are paid by the day and mileage.

III. The Probate Judge is paid by fees.

IV. The Prosecuting Attorney has a salary graded according to population, and fees allowed by law.

V. The Circuit Clerk is paid by fees.

VI. The County Clerk receives a salary based on population, with fees and percentages.

VII. The Recorder of Deeds receives fees. When the fees, after paying the expenses of the office, clerks,

etc., exceed \$4,000 per year, such excess must be paid to the county treasurer.

VIII. The Collector receives a per cent, the rate varying according to the amount collected.

IX. The Treasurer has a salary fixed by the county court, with fees and percentage.

X. The Assessor, see Township, page 42.

XI. The Public Administrator receives a percentage fixed by law.

XII. The Surveyor is paid by the day by fees.

XIII. The Coroner is paid by fees fixed by law.

XIV. The School Commissioner receives a fee of from \$20.00 to \$40.00, depending on the population of the county, paid by the county court for making out the annual report, and \$1.50 from each applicant for certificate.

XV. Justices of the Peace, see Township, page 42.

XVI. The Constable is paid by the day, by fees.

What must county officers do before entering upon the duties of their office?

They must take the oath prescribed by the State Constitution.

What county officers are required in addition to give Bonds?

The Sheriff, County Clerk, Recorder of Deeds, Coroner, Treasurer, Collector, Surveyor, Assessor, Circuit Clerk, Public Administrator, Constable.

How are vacancies in County Court filled?

By the Governor. Persons appointed to fill such vacancies hold only until the next general election.

How are vacancies in the office of Sheriff filled?

A successor is appointed by the county court. In case a vacancy occurs 9 months or more before a general election, the county court must order a special election.

How are vacancies filled in the office of County Clerk?

By the Governor.

How are vacancies filled in the office of Circuit Clerk?

By the Governor.

What county officer is not elected at the same time with the other county officers?

The School Commissioner, who is elected at the annual school meeting.

NOTE.—In counties not having township organization a Road Overseer is elected for each road district at the annual school meeting.

What officers constitute the County Board of Equalization?

The judges of county court, county surveyor, county assessor, and the county clerk, who is *ex-officio* clerk but cannot vote.

How often must they meet?

Once a year, on the first Monday in April.

What is the duty of this Board?

To equalize the assessment for taxation.

What two offices may be held by the same person?

Sheriff and Collector.

What two offices may be combined?

The circuit clerk is *ex-officio* recorder of deeds in some counties of less than 10,000 inhabitants, or in counties whose assessment is less than \$15,000,000.

NOTE.—Not all of the counties have a full number of officers. The teacher should ascertain what officers there are in the county where he is employed.

STATE.

Upon what is the State government based?

Upon a Constitution adopted by the people.

How many constitutions has the State of Missouri had, and when was each adopted?

Three; the first was adopted in 1820, the second was adopted in 1865, and the third, Oct. 30, 1875.

How many Departments are provided for by the constitution?

Three, the Legislative, Executive, and Judicial.

What is the name of the Legislative department?

The General Assembly.

What are its divisions?

The Senate and the House of Representatives.

What are the number of members in each body, and their terms of office?

(a) The House of Representatives has 140 members, elected for two years.

(b) The Senate has 34 members elected for four years.

When and how often are the representatives and senators apportioned in the State?

Once in ten years, by the General Assembly, at the next term after taking the United States census.

What are the present Senate Districts?

They are made up of counties as follows:

I. Andrew, Holt, Nodaway, Atchison.

II. Buchanan, DeKalb, Gentry, Worth.

III. Clay, Clinton, Platte.

- IV. Caldwell, Ray, Daviess, Harrison.
- V. Livingston, Grundy, Mercer, Carroll.
- VI. Linn, Sullivan, Putnam, Chariton.
- VII. Randolph, Howard, Monroe.
- VIII. Adair, Macon, Schuyler.
- IX. Audrain, Boone, Callaway.
- X. St. Charles, Warren.
- XI. Pike, Lincoln, Montgomery.
- XII. Lewis, Clark, Scotland, Knox.
- XIII. Marion, Shelby, Ralls.
- XIV. Bates, Cass, Henry.
- XV. Jackson.
- XVI. Vernon, Barton, Jasper, Newton, McDonald.
- XVII. Lafayette, Johnson.
- XVIII. Greene, Lawrence, Barry, Stone, Christian.
- XIX. Saline, Pettis, Benton.
- XX. Polk, Hickory, Dallas, Dade, Cedar, St. Clair.
- XXI. Laclede, Webster, Wright, Texas, Douglas,
Taney, Ozark, Howell.
- XXII. Phelps, Miller, Maries, Camden, Pulaski,
Crawford, Dent.
- XXIII. Cape Girardeau, Mississippi, New Madrid,
Pemiscot, Dunklin, Stoddard, Scott.
- XXIV. Iron, Madison, Bollinger, Wayne, Butler,
Reynolds, Carter, Ripley, Oregon, Shannon.
- XXV. Franklin, Gasconade, Osage.
- XXVI. Washington, Jefferson, St. Francois, Ste.
Genevieve, Perry.
- XXVIII. Cooper, Moniteau, Morgan, Cole.
- XXVII and XXIX to XXXIV. St. Louis.

How are the Representative Districts divided?

The City of St. Louis has 14 districts; Jackson county 4; Buchanan county 3; Green, Jasper, Johnson, Nodaway, Pettis, St. Louis, and Saline counties, each 2; and the remaining counties each 1 district.

When a county is entitled to more than one representative what body divides the county into districts?

The county court.

When a county is entitled to more than one senator who divides the county into senatorial districts?

The circuit court.

NOTE.—For rule of apportionment see State Const. Art. IV. Sec. 7.

ELIGIBILITY.

What are the qualifications necessary for a member of the House of Representatives?

- I. He must be 24 years of age;
- II. A citizen of the United States;
- III. A qualified voter of the State for two years;
- IV. A resident of the district for one year.

What are the qualifications for a member of the State Senate?

- I. He must be 30 years of age;
- II. A citizen of the United States;
- III. A qualified voter of the State for three years;
- IV. A resident of the district for one year.

DUTIES.

What must the members of the General Assembly do before entering upon the duties of the office?

Take the oath of office.

[Const. Art. IV. Sec. 15.]

Where and by whom is the oath administered?

In the halls of their respective houses, by any judge

of the Supreme Court, or of the circuit court of Cole county, or, after organization, by the presiding officer of either house.

Name some of the duties of each of the divisions of the General Assembly?

I. To organize by electing such officers as are necessary.

II. To have coördinate jurisdiction with each other in enacting laws.

III. To arrest and punish persons for disorderly or contemptuous conduct in its presence.

IV. To punish its own members for disorderly conduct, and to expel a member by a two-thirds vote.

V. (a) The House of Representatives may prefer charges called impeachment against the executive officers of the State, Judges of the Supreme Court, and Judges of the Court of Appeals, for crimes, misconduct, drunkenness, or oppression in office.

(b) The Senate must try all cases of impeachment.

When must the Lieutenant Governor not sit as a member of the court of impeachment?

When the Governor is being tried.

What Penalty may the court of impeachment inflict?

The penalty may extend no further than to removal from office, and disqualification to hold any office of honor, trust, or profit under the State.

Does trial by court of impeachment prevent further punishment of the parties?

No; they may be prosecuted, tried, judged, and punished according to law.

Who is the presiding officer of the House of Representatives?

One of their own members, called the Speaker elected to that office by the house.

Who is the Presiding officer of the Senate?

The Lieutenant-Governor.

VOTING.

Who are entitled to Vote on all questions in the Legislature?

All the members of the House of Representatives and Senate; this includes the Speaker of the House.

When is the President of the Senate entitled to a vote?

Upon questions on which the Senate is equally divided or tied.

Why should not the President of the Senate have a vote on all questions?

Because he has not been elected a member of that body; but becomes its presiding officer by virtue of the constitutional provision which makes the Lieutenant Governor its president.

But a member of the Senate elected a member thereof is always entitled to a vote.

BILLS.

What is the Style of the laws of this State?

“Be it enacted by the General Assembly of the State of Missouri, as follows.” [Const. Art. IV. Sec. 24.]

Where may Bills originate?

Any bill may originate in either house of the General Assembly.

What is the difference in this respect between the General Assembly of this State and Congress?

In Congress, all bills for raising revenue must originate in the House of Representatives.

What may either house do with bills originating in the other?

It may amend them: but both houses must agree to the amendment or amendments, before the bill becomes a law.

What is required that a bill may become a Law?

I. It must be reported upon by a committee, and printed before the final vote is taken in either house.

II. It must be passed by a majority vote in both houses.

III. The final vote must be taken by "yeas and nays."

IV. It must be signed by the presiding officer of each house in open session.

V. *a.* It must be sent to the governor and receive his signature within ten days; or if the governor shall fail to approve the bill and does not within ten days return it to the house in which it originated, it becomes a law without his signature.

Should the General Assembly adjourn before the ten days are out, the governor shall have thirty days in which to sign or veto bills.

b. After the governor has disapproved a bill, it may become a law by a two-thirds vote in the affirmative in each house, the vote to be taken by yeas and nays.

By what form of vote must all bills be passed?

By yeas and nays; that is, the clerk shall call the roll of members alphabetically, and each shall vote yea or nay as he wishes to vote for or against the bill.

SALARY.

How are Representatives or Senators paid?

During the first 70 days of the regular, or the first 100 days of revising sessions, they receive \$5.00 per day,

and \$1.00 per day for the remainder of the session. The members are also entitled to mileage in coming to and returning from any regular or extra session.

When are the regular sessions of the General Assembly held?

Biennially; commencing on the first Wednesday after the first day of January, of the even-numbered years.

What is meant by a revising session?

Once in ten years the entire State statutes are revised by the General Assembly; such sessions are called revising sessions.

Who has power to call an extra session of the General Assembly?

The Governor.

On what subject may the General Assembly act in extra session?

Only on such subjects as are named in the proclamation calling the session.

What number of members constitute a Quorum in either house?

A majority of the members.

STATE OFFICERS.

EXECUTIVE DEPARTMENT.

Elected by the People. Term of office 4 years.	{	Governor, Lieutenant-Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Superintendent of Public Schools, Register of Lands, Three Rail Road Commissioners. Term 6 years.
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Appointed by the Governor with the consent of the Senate.	{ Superintendent of Insurance. Adjutant General. Commissioner of Labor Statistics. Inspector of Tobacco.
Inspectors of Penitentiary.	{ State Treasurer, State Auditor, Attorney General.
State Board of Equalization.	{ Governor. State Auditor. State Treasurer. Secretary of State. Attorney General.
Commissioners of Public Printing.	{ Secretary of State. State Auditor. Register of Lands.
State Board of Education.	{ Governor. Secretary of State. Attorney General. Superintendent of Schools.
State Board of Agriculture.	{ A Department of the State University. The Governor, State Sup't of Public Schools, President of the University, and Dean of the Agricultural College are <i>ex-officio</i> members.
Bureau of Geology and Mines.	{ Governor, <i>ex-officio</i> president. Four citizens appointed by the Governor with the consent of the Senate.

JUDICIAL.

Elected by the People.	{ Five Supreme Court Judges, elected for 10 years. Three Judges of St. Louis Court of Appeals, elected for 12 years. Three Judges of Kansas City Court of Appeals, elected for 12 years.
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What about the Eligibility of these officers.

The Governor and Lieutenant-Governor must each be thirty-five years of age, a citizen of the United States for 10 years, and a resident of the State for 7 years. The Governor and State Treasurer are ineligible to re-election.

For eligibility of judges see Judiciary, page —.

No person is eligible to the office of Secretary of State, State Auditor, State Treasurer, Attorney-General, or Superintendent of Public Schools unless he be a male citizen of the United States, at least 25 years of age, and a resident of the State for 5 years.

No person may be elected to the office of railroad commissioner who holds stock or other property in any railroad company, or is in the employ of, or in any way interested in any railroad or transportation company.

DUTIES.

Name some of the Duties of the Governor?

(1) He must take care that the laws are distributed and faithfully executed; (2) he is commander-in-chief of the State Militia; (3) he may grant reprieves and pardons; (4) he must from time to time give to the General Assembly information relative to the state of government, and recommend such measures as he shall deem expedient; (5) he must report to the General Assembly for all moneys by him received and paid out; (6) he may convene the General Assembly by proclamation; (7) he must sign or veto, giving reasons, all bills passed by the General Assembly; (8) he is a member of the State Board of Equalization, the State Board of Education, *ex-officio* member of the State Board of Agriculture,

and *ex-officio* member of the Bureau of Geology and Mines.

Name some of the Duties of Lieutenant-Governor.

He is president of the Senate and has the casting vote.

Name some of the Duties of the Secretary of State.

(1) He has charge of the Great Seal of the State of Missouri and seals of official papers with the same; (2) he must keep a register of the official acts of the Governor; (3) he must render an account semi-annually to the Governor of all moneys received and paid out by him; (4) he must keep all records as authorized by law; (5) he is a member of the State Board of Equalization, and of the State Board of Education, and is one of the Commissioners of Public Printing.

Name some of the Duties of the State Auditor.

(1) He audits all accounts of the State, and draws warrants on the State Treasurer for the payment of money as directed by law; (2) he must account to the General Assembly for all moneys received and paid out.

Name some of the Duties of the State Treasurer.

(1) He must receive and safely keep all bonds, stocks and money belonging to the State; (2) he must pay out money on warrants drawn by the State Auditor; (3) he must account to the General Assembly for all bonds, stocks and money.

Name some of the Duties of the Attorney General.

(1) He must have his office and reside at the seat of government; (2) he must when directed by the governor, aid any prosecuting attorney; (3) he must give an opinion in writing, when required, to the General As-

sembly, or either house, and to the several State officers and county officers, on any subject relating to their several offices; (4) he must appear as counsel for the State in the Supreme Court; (5) he must prosecute persons or corporations for violation of State Law.

Name some of the Duties of the Superintendent of Public Schools.

(1) He has general supervision of the educational funds; (2) he must receive and keep all records pertaining to the schools of the State; (3) he must see that the school laws are distributed and executed; (4) he must examine teachers and grant certificates on application; (5) he must visit the schools of the State, spending annually at least five days in each congressional district; (6) he must make an annual report to the Governor or General Assembly.

Name some of the Duties of the Register of Lands.

(1) He must furnish to any person on application certified copies of any record or paper in his office; (2) must keep all field-notes, plats, records, maps, etc., at Jefferson City, for the convenience of the State.

Name are some of the Duties of the Railroad Commissioners.

(1) They hear and decide upon complaints against railroad companies; (2) summon witnesses to testify on any case of complaint; (3) make an annual report to the Governor; (4) examine from time to time as may be deemed necessary the various railroad tracks and bridges, and when necessary, order the company to rebuild or repair, and direct at what rate of speed passenger trains may run over such defective place.

Name some of the Duties of the Superintendent of Insurance.

(1) He keeps on file all papers and books required by law; (2) issues certificates to companies to transact

business; (3) examines the financial condition of insurance companies; (4) inquires into violation of insurance laws; (5) makes an annual report to the Governor or General Assembly.

Name some of the Duties of Commissioner of Labor Statistics.

He must as far as possible inspect all factories, warehouses, elevators, workshops, tunnels, mines, founderies, machine-shops, and other manufacturing establishments, and report annually, giving statistical details relating to all departments of labor in the State.

By whom is the Commissioner of Permanent Seat of Government appointed?

By the Governor, Secretary of State, State Auditor, State Treasurer, and Attorney General.

What must he do before entering on the duties of his office?

He must take the oath of office, and give a bond.

What are some of his Duties?

(1) He has the care and control of the capitol building, and all other public property at the seat of government; (2) superintends repairs on the same; (3) attends visitors at the capitol.

Name some of the Duties of the State Board of Equalization.

To adjust the valuation of real and personal property among the counties of the State.

When must the State Board of Agriculture hold its meetings?

On the first Wednesday in November of each year.

To whom must this Board report?

Annually, to the General Assembly, embracing the proceedings of the board for the year, together with the

abstract of the reports of the several agricultural and horticultural societies, and a general view, with recommendations, of the condition of agriculture and horticulture in the State.

Who are to report to the Board?

All agricultural and horticultural societies must report annually to the State Board of Agriculture.

NOTE.—14,000 copies of the report of the State Board of Agriculture must be printed and distributed throughout the State annually.

By what power are County Agricultural or Horticultural Societies organized?

By the County Court, on application of fifty freeholders.

BUREAU OF GEOLOGY AND MINES.

Who Comprise the Board of Managers of the Bureau of Geology and Mines?

The Governor as *ex-officio* president, and four citizens appointed by the Governor with the consent of the Senate.

How long do they hold office.

Four years.

What are some of the Duties of the Board of Managers?

(1) They must appoint a State Geologist; (2) have general management of the State geological survey; and (3) report to the general assembly of the progress of the survey.

What Compensation does this board receive?

Only their expenses while attending to the duties of the office.

What are some of the Duties of the State Geologist?

(1) He must make a thorough mineralogical and geological survey of the State; (2) make reports accompanied by maps; (3) make a cabinet collection of minerals, fossils, etc.

What is the salary of the State Geologist?

It is fixed by the board of managers at a rate of not to exceed \$3,000.

How is the Fish Commission Composed?

Of three members appointed by the Governor.

What are their Duties?

They have control of the State hatchery, and distribution of young fish, and employ an agent to care for the same, and to report to the Governor.

What Salaries do the members receive?

Only their necessary expenses in the discharge of their duties.

SALARIES OF STATE OFFICERS.

Governor.....	\$5,000
Lieutenant-Governor.....	1,000
Secretary of State.....	3,000
State Treasurer.....	3,000
State Auditor.....	3,000
Attorney-General.....	3,000
Superintendent of Public Schools.....	3,000
Register of Lands.....	3,000
Railroad Commissioner.....	3,000
Superintendent of Insurance.....	4,000
Adjutant-General.....	2,000
Commissioner of Labor Statistics.....	2,000
Warden of Penitentiary.....	2,250
Judges of the Supreme Court.....	4,500
Judges of the Circuit Courts.....	2,000

ELECTIONS.

What constitutes a legally qualified voter in Missouri?

I. He must be 21 years of age;

II. He must be a citizen of the United States, or if of foreign birth must have declared his intention to become a citizen not less than one nor more than five years before he offers to vote.

III. He must have resided in the State one year.

IV. He must have resided in the county, city or town sixty days.

When is the General Election held?

Biennially; on the Tuesday following the first Monday in November, from seven o'clock in the morning until six o'clock in the evening.

How must elections be conducted?

All elections must be by ballot. Every ballot must be numbered in the order in which it is received, and the number recorded in the list of voters opposite the name of the person presenting it.

What about the liability of arrest when attending an election?

Voters are in all cases except for treason, felony or breach of the peace, privileged from arrest during their attendance at elections, or in going to or returning therefrom.

What powers establishes the Election precincts?

The County Court.

How many judges of election are there, and by whom appointed?

There are four in each election precinct, appointed by the county court.

In cities and towns having 5,000 or more population the officers are elected as follows :

The candidate must be nominated by a primary election or convention.

The certificate of nomination must be signed by the president and secretary of the convention, or if the nomination is made by a primary by one per cent of the voters who voted at the last election, not less than 50 nor more than 1,000. The certificate must then be filed with the county clerk if for county officer and with the Secretary of State for State officer.

The county clerk has the ballots printed at public expense.

Two additional judges of election shall be appointed.

Each voter receives one ballot from a judge of election on the back of which the judge has written his name.

The voter retires to a booth and crosses out the name of candidates for which he does not wish to vote and may write on names of other persons than those regularly nominated.

The voter then gives the ballot to the receiving judge, who puts it into the ballot box.

NEW STATES.

I. New States are usually made from Territories, and are admitted by an act of Congress.

II. Territories *may* or may *not* have the number of inhabitants which constitutes the ratio of one Representative (at present 154,000).

III. A Territory adopts its own State constitution, and when admitted comes in under that constitution.

IV. West Virginia was not a Territory; but the inhabitants of forty counties in the north-western part of Virginia repudiated the secession convention, held at Richmond, and organized a government of their own. They adopted a constitution, and this district was admitted by Congress as a State in 1862.

TERRITORIES.

What can you say about Territories?

I. Territories are organized by an act of Congress, defining their boundaries.

II. The chief executive officers are a Governor and a Secretary, appointed by the President with the consent of the Senate, for a term of four years.

III. An Auditor, Treasurer, and Superintendent of Common Schools, are elected by the Territorial Legislature for two years.

IV. The Legislature consists of a Council and House of Representatives, elected by the people, by districts, for two years, and their sessions are usually biennial.

V. The Judicial power is vested in a Supreme Court, District Courts, Probate Courts, and Justices of the Peace.

VI. Each Territory is divided into three judicial districts, and the Supreme Court thereof consists of a Chief Justice and two associates, appointed by the President for a term of four years; its jurisdiction is *appellate*.

VII. A District Court with general *original* jurisdiction is held in each judicial district in a Territory by a Justice of the Supreme Court.

VIII. There is a Probate Court for each county, the

judges being elected by the people for a term of two years.

IX. Justices of the Peace are elected, and have jurisdiction over minor cases.

X. Delegates to Congress are elected by the voters of the Territory, and serve during a Congress, but have no vote. See page 105.

SALARIES.

Governor.....	\$3,500
Secretary.....	3,000
Chief Justice.....	3,000
Associate Justices.....	3,000
Delegate to Congress.....	5,000

DISTRICT OF COLUMBIA.

What can you say about the District of Columbia?

I. The Constitution confers upon Congress the exclusive legislative control of the District. See page 136.

II. The people have no voice in the election of presidential electors.

III. By a law of Congress in 1874, the Executive, Legislative, and Public Works Departments, and the office of Delegate to Congress were abolished.

IV. By the same law an office (to be administered by three Commissioners appointed by the President and Senate) was created, giving the Commissioners authority to abolish any office, consolidate two or more offices, remove from and make appointments to office.

V. By the same law the municipalities of Georgetown and Washington were abolished, which suppressed the elective franchise throughout the district.

VI. The Supreme Court of the District of Columbia consists of one Chief Justice and five associates, ap-

pointed by the President and Senate, holding their office during good behavior.

VII. The Supreme Court has general *original* jurisdiction in law and equity.

VIII. The General Term held by all the Justices of the Supreme Court of the District, or a majority of them, hears appeals and writs of error from determinations of a single Justice of the Supreme Court.

IX. Any one Justice may hold a Special Term.

SALARIES.

Commissioners.....	\$3,000
Chief Justice.....	4,500
Associate Justices.....	4,000

JUDICIARY.

JURIES.

Name the different Juries.

Petit, Grand, and Coroner's.

What are the Qualifications of a juror?

He must be a citizen of the State, resident of the county, sober and intelligent, of good reputation, and twenty-one years of age.

Who are Exempt from serving as jurors?

Members of fire companies, clergymen, doctors, lawyers, officers or judges of any court of record, coroners, constables, millers, teachers, postmasters, ferry-keepers, druggists, overseers of roads, persons over 65 years of age, and some others.

Of how many persons does a Petit and Grand Jury consist?

Twelve.

By whom are the Names for jurors selected?

By the County Court. They select at least 100 names of persons from the several townships of the county, according to the population, thirty days before the session of the Circuit Court.

How are the jurors Drawn?

The names of the persons selected are written on slips of paper and placed in a box, and the county clerk draws from each township a number of names in proportion to the number of inhabitants, until he has

drawn 12 grand jurors, and 24 petit jurors, who constitute the panel to be summoned to serve at the next term of court.

What is to be done if some of the jurors summoned are disqualified, and not a sufficient number remain to make a jury?

More persons are summoned.

Of how many persons is a Justice's Court composed?

Not more than six; the parties may agree on a less number.

How many jurors are summoned for a Justice's Court and by whom?

Six more than the number decided on for the jury; by a constable.

In what manner must the verdict be rendered?

To the justice in writing signed by the foreman only.

How many jurors constitute a Coroner's Jury?

Six householders.

By whom is the Coroner's Jury list made out?

By the coroner.

By whom are they Summoned?

By a constable.

STATE COURTS.

At tabular view of the judiciary of the State, commencing with the lowest courts and showing them in regular order.

I. Justice's Court.

II. County Court.

III. Probate Court.

IV. Circuit Court.

- V. { St. Louis Court of Appeals.
 { Kansas City Court of Appeals.
 VI. Supreme Court.

SPECIAL COURTS.

Criminal Court of St. Louis.

“ “ “ Kansas City.

“ “ “ Sixth Judicial Circuit and Johnson County.

Criminal Court of Buchanan County.

“ “ “ Springfield.

Louisiana Court of Common Pleas.

Hamilton “ “ “ “

Cape Girardeau Court of Common Pleas.

Sturgeon “ “ “ “

St. Louis Court of Criminal Correction.

JUSTICE'S COURT.

What is the Lowest Court in the State?

A justice's court, held in every township by a justice of the peace.

What Jurisdiction has this Court?

Original. See Township, page 40.

In a civil action how large a Judgment Can be found?

Not to exceed \$150; in counties having 50,000 inhabitants or more, not to exceed \$250.

What Criminal suits can be tried in a justices court?

Cases of misdemeanor.

NOTE.—A misdemeanor is any offence punishable only by fine or imprisonment in a county court.

A felony is any offence for which the offender, on conviction, shall be liable by law to be punished with death or imprisonment in the penitentiary, and no other.

COUNTY COURT.

See County, page 50.

PROBATE COURT.

See County, page 50.

CIRCUIT COURT.

What Jurisdiction has the circuit court?

Both original and appellate as follows:

I. Original jurisdiction in criminal cases not otherwise provided for.

II. Original jurisdiction in civil cases that do not come under the county court, probate court, and justice's courts.

III. Concurrent original jurisdiction with justices of the peace in civil cases for amounts between \$50 and \$150, except in counties and cities having 50,000 inhabitants, where the amount may reach \$250, and over all actions against railroad companies for damages.

IV. Appellate jurisdiction from the judgment and orders from the lower courts.

SUPREME COURT.

Of what does the Supreme Court consist?

Of five judges elected for 10 years.

When are the Terms of the Supreme Court held?

Commencing on the second Tuesdays of April and October, in Jefferson City.

What jurisdiction has the Supreme Court?

Appellate jurisdiction from the lower courts.

ST. LOUIS COURT OF APPEALS.

Of what does the St. Louis Court of Appeals consist?

Of three judges elected for 12 years.

When are the Terms held?

Commencing on the first Monday in March and October, in St. Louis.

What Jurisdiction has this court?

Appellate jurisdiction over the following territory:

The City of St. Louis, and counties of Monroe, Shelby, Knox, Scotland, Clark, Lewis, Marion, Ralls, Pike, Lincoln, Warren, Montgomery, St. Charles, St. Louis, Jefferson, Ste. Genevieve, Perry, Cape Girardeau, Scott, Mississippi, New Madrid, Pemiscot, Dunklin, Stoddard, Wayne, Bollinger, Madison, St. Francois, Washington, Franklin, Crawford, Iron, Reynolds, Carter, Butler, Ripley, Oregon, Shannon, Dent, Phelps, Pulaski, Howell, Ozark, Douglas, Wright, Laclede, Webster, Christian, Taney, Stone, Greene, Lawrence, Barry, Newton, and McDonald.

KANSAS CITY COURT OF APPEALS.

Of what does the Kansas City Court of Appeals consist?

Of three judges, elected for 12 years.

When are the Terms held?

Beginning on the first Mondays in March and October, in Kansas City.

What Jurisdiction has this court?

Appellate jurisdiction, over that portion of the State not included in the St. Louis Court of Appeals.

Which courts are called Courts of Record?

The Supreme Court, the St. Louis and Kansas City Courts of Appeal, the Circuit Courts, the County Courts, and the Probate Courts.

Why are these called Courts of Record?

Because permanent records of their proceedings are kept.

In case either of the Appellate Courts grants a new trial, what is to be done in Criminal Causes?

The cause will be tried in the same court, or, in one having the same jurisdiction, but before a different jury.

How are Civil Causes managed on appeal?

In the same way, only that court may affirm or reverse decisions as well as grant new trials.

UNITED STATES COURTS.

In what respects are the State Courts and National Courts similar?

Each has a Supreme and a Circuit court.

What are the names applied to United States Courts?

The Constitution of the United States calls them Inferior Courts, and one Supreme Court. The Inferior Courts are the Circuit and District Courts. The territory of each is defined by Congress.

A TABULAR VIEW OF UNITED STATES COURTS.

I. Inferior.	{ 1. District Courts.
	{ 2. Circuit Courts.

II. Supreme.

How many District Courts are they at present?

There are 69, 56 of them being in the States, and 9 of them in the Territories.

What is the largest number of Districts into which any State is divided?

Three: Ala., N. Y., and Tenn. have 3 districts each; Ark., Fla., Ill., Mich., Miss., Mo., N. C., Ohio, Penn., Tex., Va., and Wis. have 2 districts each, and the remaining States and Territories 1 each.

What officers in the District Court?

One District Judge, a District Attorney, Assistant District Attorneys, a Marshal, a Clerk, and a large number of Deputy Marshals; and also Registers in Bankruptcy.

What Jurisdiction has the District Court?

Original Jurisdiction.

What are the Salaries of the District Judges?

\$4,000 each.

What does the Territory of several districts constitute?

A Circuit.

How many Circuits are there?

Nine, each presided over by a Circuit Judge.

What Jurisdiction has the Circuit Court?

Original jurisdiction.

What are the Salaries of the Circuit Judges?

\$6,000 each.

SUPREME COURT.

What Territory is embraced in the jurisdiction of the Supreme Court?

The whole United States.

How many Judges constitute the Supreme Court?

9 judges; corresponding with the number of the Circuits.

When does the Supreme Court meet.

The second Monday in October, at Washington. It holds one term annually.

What is its Jurisdiction?

Principally Appellate ; it has original jurisdiction in a few cases, as mentioned in the Constitution.

By whom are all these judges appointed?

By the President and Senate.

What is the Salary of the Supreme Court Judges?

The Chief Justice receives \$10,500. Associates receive \$10,000.

For how long a Term are all these judges appointed?

They hold the office for life, or during good behavior or until they resign.

COURT OF CLAIMS.

What is the Court of Claims?

I. The Court of Claims consists of a Chief Justice and 4 Associate Justices, appointed by the President and Senate, and holding their office during good behavior. The salaries of Chief Justice and of Associate Justices are \$4,500 each.

II. It has authority to hear and determine all claims against the United States, founded upon any law of Congress or regulation of the executive department.

III. Also upon any contract with the government, expressed or implied, and all claims which may be referred to it by Congress.

IV. Also all set-offs, counter claims, claims for damages, or other demands whatsoever on the part of the government against any person making claim against the government in this court.

TERRITORIAL GOVERNORS.

Frederick Bates, Secretary and Acting-Governor.....	1812-13
William Clark.....	1813-20

GOVERNORS AND LIEUTENANT GOVERNORS.

Names of Governors.	Names of Lieutenant Governors.
Alexander McNair.....	William H. Ashley.....1820-24
Frederic Bates.....	Benjamin H. Reaves.....1824-28
Abraham J. Williams.....	
John Miller.....	
John Miller.....	Daniel Dunklin.....1828-32
Daniel Dunklin.....	Liburn W. Boggs.....1832-36
Liburn W. Boggs.....	
Liburn W. Boggs.....	Franklin Cannon.....1836-40
Thomas Reynolds.....	M. M. Marmaduke.....1840-44
M. M. Marmaduke.....	
John C. Edwards.....	James Young.....1844-48
Austin A. King.....	Thomas L. Rice.....1848-52
Sterling Price.....	Wilson Brown.....1852-56
Truisten Polk.....	Hancock Jackson.....1856-60
Hancock Jackson.....	
Robert M. Stewart.....	
C. F. Jackson.....	Thomas C. Reynolds... } 1860-64
Hamilton R. Gamble.....	
Willard P. Hall.....	
Thomas C. Fletcher.....	George Smith.....1864-68
Joseph W. McClurg.....	Edwin O. Stanard.....1868-70
B. Gratz Brown.....	Joseph J. Gravelly.....1870-72
Silas Woodson.....	Charles P. Johnson.....1872-74
Charles H. Hardin.....	Norman J. Coleman.....1874-76
John S. Phelps.....	Henry C. Brockmeyer....1876-80
Thomas T. Crittenden.....	Robert A. Campbell.....1880-84
John S. Marmaduke.....	Albert P. Morehouse.....1884-88
Albert P. Morehouse.....	
David R. Francis.....	Stephen H. Claycomb....1888—

STATE INSTITUTIONS.

STATE UNIVERSITY—COLUMBIA.

Board of Curators.—G. F. Rothwell, B. M. Dilley, C. G. Burnes, Gardiner Lathrop, John Hinton, C. H. Hardin, S. M. Breckenbridge, E. Y. Mitchell, R. B. Oliver. President *pro tem.*, M. M. Fisher, A.M., D.D., LL.D.

NORMAL SCHOOL, DISTRICT No. 1—KIRKSVILLE.

Board of Regents.—Sumner Boynton, Kirksville; Andrew Ellison, Kirksville; Wm. B. Hayes, Lancaster; O. E. Hannak, Randolph; John S. Erwin, Kirksville; Dr. J. M. McKinnon, Newark; W. E. Coleman, Superintendent of Schools. Prof. J. P. Blanton, President.

NORMAL SCHOOL DISTRICT No. 2.—WARRENSBURG.

Board of Regents,—W. E. Coleman, Superintendent of Schools, *ex-officio* regent; Dr. J. H. Kinyoun, Centerville; James B. Gantt, Clinton; J. E. Ryland, Lexington; A. W. Rogers, Warrensburg; C. W. Stevenson, Warrensburg; J. N. Dalby, Sedalia; President, George L. Osborne, LL.D.

NORMAL SCHOOL DISTRICT No. 3.—CAPE GIRARDEAU.

Board of Regents,—T. B. Buford, Fredericktown; C. C. Rozier, Ste. Genevieve; L. J. Albert, Cape Girardeau; G. T. Bartlett, Poplar Bluff; J. R. McKinney, Bellevue; W. E. Coleman, Superintendent of Schools; President, Richard C. Norton, LL.D.

NORMAL SCHOOL—LINCOLN INSTITUTE,—JEFFERSON CITY.

Board of Regents.—O. G. Birch, Jefferson City; R. E. Young, Nevada; Alexander Chinn, Glasgow; T. I. Goddin, L. C. Krauthoff; W. E. Coleman, Superintendent of Schools; President, Inman E. Page.

STATE LUNATIC ASYLUM No. 1, FULTON.

Board of Managers,—Dr. J. H. Howard, Callaway; Samuel Harrison, Callaway; J. Sam Watson, Callaway; C. Leslie Hall, M. D. Saline; Robert C. Clark Howard; Superintendent, W. K. Rodes, M.D.

STATE LUNATIC ASYLUM No. 2.—ST. JOSEPH.

Board of Managers.—W. W. Ramsey, Maryville; Waller Young, St. Joseph; W. K. DeBord, Andrew; T. R. Valliant, Platte City; G. W. Davis, Plattsburg; Dr. W. J. Heddens, St. Joseph; Dr. A. V. Barnes, St. Joseph; Superintendent, Dr. R. E. Smith.

STATE LUNATIC ASYLUM No. 3.—NEVADA.

Board of Managers.—J. F. Robinson, H. C. Moore, Nevada; D. C. Kennedy, Springfield; J. K. Cole, Lamar; William M. Bunce, Vernon; Superintendent, Dr. R. E. Young.

STATE SCHOOL FOR THE BLIND.—ST. LOUIS.

Board of Trustees.—Benjamin Blewett, St. Louis; F. R. O'Neil, St. Louis; M. H. Post, St. Louis; E. W. Stephens, Boone county; Marshall Arnold, Scott county; Superintendent, J. T. Sibley.

MISSOURI INSTITUTION FOR THE EDUCATION OF THE DEAF AND DUMB—FULTON.

Board of Commissioners.—John A. Hockaday, S. L. Dedman, Callaway county; F. A. Dessert, Macon

county; James Duross, St. Louis; Superintendent, J. N. Tate, A. M.

MISSOURI REFORM SCHOOL FOR BOYS.—BOONVILLE.

Board of Managers.—J. R. Walker, Cooper county; M. F. Bell, Callaway county; C. Tillery, Clay county; C. E. Leonard, Cooper county; Wm. Williams, Cooper county; Superintendent, L. D. Drake.

STATE INDUSTRIAL HOME FOR GIRLS.—CHILLICOTHE.

Members of Board of Control.—Mrs. I. R. Slack, Chillicothe; T. B. Yates, Gallatin; J. H. Shanklin, Trenton; W. McIlwrath, Chillicothe; Mrs. R. A. DeBott, Trenton; J. T. Daniel, Gallatin; Superintendent, Mrs. Julia Vincent.

THE UNITED STATES.

PRESIDENTIAL ELECTIONS.

Under how many heads may this topic be treated?

Two: the first being the manner pursued by the political parties for nominating candidates; the second, the constitutional provisions for electing them.

- Preliminary
action of po-
litical parties.
- | | |
|---|---|
| { | I. Calling of a National Convention. |
| | II. Calling of State Conventions. |
| | III. Calling of County or Assembly District
Conventions. |
| | IV. Calling of Town Caucuses. |

By whom is the National Convention called?

By a National Committee appointed at the last National Convention, or the one held four years before.

By whom is the State Convention called?

By a State Committee, appointed at the State Convention held the year before.

By whom is the County or Assembly District Convention called?

By a County or District Committee, appointed at a previous convention.

By whom is a Town Caucus called?

By a Town Committee, appointed at a previous meeting.

Which meeting is held first?

The Town Caucus, where delegates are elected to attend a County or Assembly District Convention.

Which Convention is next held?

The County or Assembly District Convention, where delegates are elected to attend the State Convention.

Which Convention is next held?

The State Convention, where delegates are elected to attend the National Convention.

What Convention is next held?

The National Convention. The delegates then and there assembled nominate candidates for the offices of President and Vice-President; and adopt their political platform.

When do these conventions just named take place?

Once in four years, in the months of April, May, June, preceding preceding the presidential election.

- | | | |
|--------------------------------------|---|--|
| Further action by political parties. | { | <p>1. State Convention for nominating the Electors for President and Vice-President.</p> <p>II. Voting for these Electors at the annual elections.</p> |
|--------------------------------------|---|--|

When does the State Convention for nominating the Electors meet?

At a time when it is convenient to nominate State officers: usually in August or September.

To how many Electors is each State entitled?

To as many as it has Representatives and Senators. For instance, New York has 34 Representatives in the House, and 2 Senators; therefore New York is entitled to 36 electoral votes Colorado has 1 Representative, and 2 Senators, and is entitled to 3 electoral votes.

How are these Electors distributed about the State?

One Elector is elected for each Congressional District; the two others are called Electors at Large, and are selected from any part of the State.

What must each political party do that it may get its candidates before the people?

It must have its conventions and nominate the required number of electors.

What are these Electors intended to represent?

The views of the party nominating them.

How frequently, and when, is a Presidential election held?

Once in four years, on the Tuesday following the first Monday in November, throughout all the States.

What must each voter do in the State of Missouri, that he may cast a ballot for President and Vice-President?

He must hand to the inspectors of election a ballot on which is printed the names of the sixteen electors.

By whom are these votes to be canvassed (or counted)?

By the same officers that count other votes. The Executive authority of each State causes three lists of the electors of such State to be made and certified and delivered to the said electors, on or before the second Monday in January.

MEETING OF PRESIDENTIAL ELECTORS.

What must the Electors that have been declared elected then do?

I. They must meet on the second Monday in January succeeding their election, at such place in each

State as the Legislature thereof shall designate (usually the capital), and must vote for President and Vice-President, one of whom shall not be an inhabitant of the same State with themselves.

II. The Electors must make and sign three certificates of all the votes by them given for President and Vice-President, annexing to each a certificate of the Electors furnished by the authority of the Executive.

III. These certificates must be sealed, certifying, on the outside of each, that there is contained therein a list of the votes of such State for President and Vice-President.

IV. A person duly appointed by the Electors, or a majority of them, must take charge of and deliver one of these certificates to the President of the Senate, at the seat of government.

V. The second certificate must be forwarded through the mails to the President of the Senate, at the seat of government.

VI. The third certificate must be delivered to the Judge of the District Court in which the electors assemble.

OPENING AND COUNTING THE ELECTORAL VOTES.

When and by whom must these Certificates be opened?

On the second Wednesday in February the President of the Senate, in the presence of the Senate and House of Representatives, must open these certificates, and the votes must then be counted. The person having the greatest number of votes, if that number be a majority, shall be the President; and the person having the greatest number of votes for Vice-President, if that number be a majority, shall be Vice-President.

Who must count the votes?

Tellers appointed for that purpose by the House and Senate.

In case neither candidate for the presidency has a Majority of all the electoral votes cast, what must be done?

The election goes to the House of Representatives.

ELECTION BY THE HOUSE OF REPRESENTATIVES.

How does this Election take place?

I. Two-thirds of the States must be represented to constitute a quorum.

II. The candidates must be those already voted for, and must be confined to those receiving the highest number, not exceeding three.

III. Each State is entitled to only one vote: and it will be cast according to the wishes of a majority of the members in the House from that State. If, for instance, a State has 15 members, 8 belonging to one party, and 7 to another, the 8, being a majority, will, if agreed, cast the one vote; the minority having no voice in the election. Should there be an even number of members from any State, and should they be equally divided between two candidates, there might be one-half vote for each candidate.

In case of a Failure on the part of the House of Representatives to elect a President before the 4th of March, what then?

The Vice-President must act as President.

ELECTION OF VICE-PRESIDENT BY THE SENATE.

Can the Senate ever elect a Vice-President?

Yes, when the people have failed to elect a Vice-President, then the Senate must elect.

How is this done?

I. Two-thirds of all the Senators constitute a quorum.

II. The Senate must vote for the two persons who received the highest number of votes for Vice-President.

III. A majority of all the members elected to the Senate is necessary to a choice.

IV. Should there be a tie in the Senate, the Vice-President may give the casting vote.

V. Should the Vice-President have succeeded to the presidency, or have vacated his office, and the President *pro tem.* (a Senator) preside, in that case there might be a tie, and no election reached.

THE PRESIDENTIAL SUCCESSION.

What are the provisions for filling the office of President when Vacant?

In case of the removal, death, resignation, or inability of a President to discharge the powers and duties of the said office, the same shall devolve upon the Vice-President.

II. In case of the removal, death, resignation, or inability of both the President and Vice-President of the United States, the duties of said office shall devolve upon the Cabinet officers in the following order:

1. Secretary of State; if there be none, then on the
2. Secretary of the Treasury; if there be none, then on the
3. Secretary of War; if there be none, then on the
4. Attorney General; if there be none, then on the
5. Postmaster General; if there be none, then on the
6. Secretary of the Navy; if there be none, then on the

7. Secretary of the Interior: until the disability of the President or Vice-President is removed or a President shall be elected.

III. *Provided*, That whenever the powers and duties of the office of President or Vice-President shall devolve upon any of the Cabinet officers, if Congress be not then in session, or if it would not meet in accordance with law within twenty days thereafter, it shall be the duty of the person upon whom said powers and duties shall devolve to issue a proclamation convening Congress in extraordinary session, giving twenty days' notice of the time of meeting.

IV. Cabinet officers to be eligible must have been appointed by the *advice and consent* of the Senate, and be eligible to the office of President under the Constitution, and not under impeachment by the House of Representatives at the time the duties shall devolve upon them. (Approved January 19, 1886.)

What is the Electoral College?

I. The term "Electoral College" means the presidential Electors when assembled as a body to cast the vote for President and Vice-President.

II. Each State may provide by law for the filling of any vacancy which may exist in its college of electors, when such college meets to cast its electoral vote.

What are the requirements as to Eligibility of the President and Vice-President?

I. No person shall hold the office, either of President or Vice-President, except native born citizens, or those who were in this country at the time of the adoption of the Constitution.

II. The candidate must have been a resident of the United States for 14 years.

III.* He must be at the time of his election 35 years of age.

What are some of the Duties of the President?

I. He is Commander-in-Chief of the Army and Navy of the United States;

II. And of the Militia of the several States when called into actual service of the United States.

III. He has power to grant reprieves and pardons for offences against the United States, except in cases of impeachment.

IV. He has power to make treaties when two-thirds of the Senate present concur.

V. He nominates, and, by and with the consent of the Senate of the United States, appoints Ambassadors, Public Ministers, Consuls, Judges of the United States Courts, and all other United States officers not otherwise provided for.

VI. He may fill all vacancies that happen during recess of the Senate, by granting commissions that expire at the close of the next session.

VII. He must from time to time give to Congress information in regard to the condition of affairs in the United States, and recommend such measures as he deems expedient. For further duties, see Constitution of the United States, Art. II.

What are some of the Duties of the Vice-President?

I. He is President of the United States Senate, and has a vote only in case of a tie.

II. In case he succeeds to the presidency, then he

performs the duties of the President, and the President *pro tem.* (a Senator) performs the duties of Vice-President and Senator.

What are the Salaries of the President and of the Vice-President?

The President receives \$50,000;* the Vice-President receives \$8,000.

A tabular view showing how some United States officers get their authority.

From the people.	{	I. Electors {	1. President.
			2. Vice-President.
From State Legisla- tures.	{	Members of the House of Representatives {	President sometimes.†
	{	U. S. Senators {	V. President sometimes.‡

What appointments are made by the President subject to confirmation by the Senate?

I. President's Cabinet consisting of	{	1. Sec. of State.
		2. Sec. of Treasury.
		3. Sec. of War.
		4. Sec. of Navy.
		5. Sec. of Interior.
		6. Postmaster General.
		7. Attorney General.

II. Governors of territories.

III. Ambassadors.

IV. Ministers to foreign countries.

* The President's salary cannot be increased or diminished during his term of office.

† In 1801 and 1825. Who.

‡ Richard M. Johnson was elected Vice-President by the Senate in 1837. This is, thus far, the only instance.

V. Consuls.

VI. Judges of the U. S. Supreme Court.

VII. Judges of the U. S. Circuit Courts.

VIII. Judges of the District Courts.

IX. Postmasters.

And many other officers.

What class of officers in the State performs nearly the same duties as the Cabinet officers in the Nation?

Those classed as "Administrative," on page 61; in the State they are elected by the people; in the Nation they are appointed by the President.

THE CABINET.

What are some of the Duties of the Cabinet officers?

I. THE SECRETARY OF STATE, at the head of the State Department preserves the public archives, records, laws, arguments and treaties, and supervises their publication; conducts all business and correspondence arising out of foreign relations; makes out and records passports, commissions, etc.

II. THE SECRETARY OF THE TREASURY, at the head of the Treasury Department, receives and has charge of all moneys paid into the United States Treasury; has general supervision of the fiscal transactions of the Government, the collection of revenue, the auditing and payment of accounts and other disbursements; supervises the execution of the laws relating to Commerce and Navigation, the Revenues and Currency, the Coast Survey, the Mint and Coinage, the Lighthouse Establishments, Custom Houses, etc.

III. THE SECRETARY OF WAR, at the War Department, has charge of business growing out of military

affairs; keeps the records of the army; issues commissions; directs the government of troops; superintends their payment, stores, clothing, arms, equipments and ordnance; constructs fortifications and conducts works of military engineering, river and harbor improvements.

IV. THE SECRETARY OF THE NAVY, at the head of the Navy Department, has charge of the Naval establishments and all business connected therewith; issues Naval commissions, instructions and orders; supervises the enlistment and discharge of seamen, the construction of Navy Yards and Docks, the construction and equipment of vessels, Coast Surveys, etc.

V. THE SECRETARY OF THE INTERIOR, at the head of the Department of the Interior, has charge of the survey, management, sales and grants of Public Lands; the examination of Pension and Bounty Land claims; the management of Indian affairs; the award of Patents; the distribution of Seeds and Plants; the taking of Censuses; the management of Government mines, etc. The Bureau of Education is a branch of this department.

VI. THE POSTMASTER GENERAL at the head of the Post-office Department, has charge of the Postal System; the establishment and discontinuance of Post-offices; the appointment of Agents; the contracts for carrying the mails, etc.

VII. THE ATTORNEY GENERAL, at the head of the Department of Justice, is the legal adviser of the President and members of the Cabinet; examines titles, applications for pardons, and judicial and legal appointments; conducts and argues suits in which the Government is concerned, etc.

VIII. THE SECRETARY OF AGRICULTURE, whose duty it is to promote the agricultural interests of the country.

What are the Salaries of the members of the Cabinet?

\$8,000 a year.

Name the present Cabinet officers. See page vi.

AMBASSADORS, MINISTERS, AND CONSULS.

What is an Ambassador?

An Ambassador is a minister of the highest rank, appointed to represent the interests of a country at the court or seat of government of some other country.

What is a Minister Plenipotentiary?

A Minister Plenipotentiary is an Ambassador or Envoy, invested with full powers to negotiate a treaty, or do some other special business, without being a permanent resident of such country. Under such circumstances, he is called Ambassador *extraordinary*.

What is a Consul?

A person commissioned to reside in a foreign country as an agent or representative of a government, to protect the rights, commerce, merchants, and seamen of the country, and to aid in commercial, and sometimes in diplomatic transactions, with such foreign country; he is sometimes called Ambassador, or Minister *ordinary*.

Name a few of the highest Salaries paid Ministers.

The ministers to London, Paris, Berlin, and St. Petersburg receive \$17,500 each. Those to Vienna, Madrid, Rome, Peking, Yeddo, Tokio, Mexico, and Rio Janiero, receive \$12,000 each. The United States has no Ambassadors.

CONGRESS.

A FEW COMPARISONS BETWEEN THE STATE AND
NATIONAL GOVERNMENTS.

Name a similarity in Divisions between the State and the National government.

Each has 3 divisions, the Legislative, Executive, and Judiciary.

Name a similarity in the Legislative Department.

Each has two branches, known as the House of Representatives and the Senate. The House of Representatives elects its own speaker; the State Senate is presided over by the Lieutenant-Governor; the National Senate is presided over by the Vice-President.

What is the number of Members in each at the present time?

In the State House of Representatives there are 140; in the National House of Representatives, 330; in the State Senate, 34; in the National Senate 84.

How do their Terms of office compare?

The members of the House of Representatives, both State and National are elected for 2 years; of the State Senate for 4 years, of the National Senate for 6 years.

THE TWO HOUSES OF CONGRESS.

Of what Divisions does Congress consist?

Of the Senate and House of Representatives.

How many Members has the Senate?

The Senate has twice as many members as there are States in the Union.

THE HOUSE OF REPRESENTATIVES.

How many Members has the House of Representatives?

The House of Representatives consists of such a number as Congress shall decide upon and name, after the taking of each national census; and this number continues for the next ten years, unless increased by the admission of new States, each new State being entitled to one or more members.

The following table shows the ratio of representation in the House of Representatives, through the several decades to the present time.

1789....ratio,	30,000...	number of members,	65.
1793....	"	33,000....	"
1803....	"	33,000 ...	"
1813....	"	35,000 ..	"
1823....	"	40,000..	"
1833....	"	47,700....	"
1843 ...	"	70,680..	"
1853....	"	93,420....	"
1863....	"	127,316....	"
1873....	"	131,425...	"
1883....	"	154,000....	"

The present number, 330, is apportioned as follows:

Alabama.....	8	Massachusetts....	12
Arkansas.....	5	Michigan.....	11
California	6	Minnesota.....	5
Colorado.....	1	Mississippi.....	7
Connecticut.....	4	Missouri.....	14
Delaware.....	1	Montana.	1
Florida.....	2	Nebraska.....	3
Georgia.....	10	Nevada.....	1
Illinois.....	20	New Hampshire. .	2
Indiana ...	13	New Jersey.....	7
Iowa.....	11	New York.....	34
Kansas... ..	7	North Carolina.....	9
Kentucky.....	11	North Dakota.....	1
Louisiana.....	6	Ohio.....	21
Maine... ..	4	Oregon.....	1
Maryland.....	6	Pennsylvania.....	28

Rhode Island	2	Vermont.....	2
South Carolina	7	Virginia.....	10
South Dakota.....	2	Washington.....	1
Tennessee	10	West Virginia.....	4
Texas.....	11	Wisconsin.....	9

CONGRESSIONAL DISTRICTS IN MISSOURI.

The following is the apportionment of Congressional Districts in and for the State of Missouri, based on the census of 1880.

I. The counties of Clark, Lewis, Marion, Shelby, Knox, Scotland, Schuyler, Putman, Adair, Macon.

II. The counties of Grundy, Livingston, Carroll, Sullivan, Linn, Chariton, Randolph, Monroe.

III. The county of Worth, Gentry, De Kalb, Clinton, Clay, Ray, Caldwell, Daviess, Harrison, Mercer.

IV. The counties of Atchison, Nodaway, Holt, Andrew, Buchanan, Plate.

V. The counties of Jackson, Lafayette, Johnson.

VI. The counties of Saline, Howard, Boone, Moniteau, Cooper, Pettis, Benton, Morgan, Camden, Hickory, Polk, Dallas.

VII. The counties of Ralls, Pike, Audrain, Montgomery, Lincoln, Warren, St. Charles, Franklin.

VIII. Saint Ferdinand township in St. Louis county, and Wards 4, 6, 8, 12, 14, 16, 20, 23, 28 of St. Louis.

IX. Wards 1, 2, 3, 10, 13, 15, 17, 18, 19, 26, 27, of St. Louis.

X. Wards 5, 7, 9, 11, 21, 22, 24, 25 of St. Louis, and the counties of Reynolds, Iron, Madison, Perry, Ste. Genevieve, Francois, Washington, Jefferson, and St. Louis except St. Louis township.

XI. The counties of Callaway, Cole, Osage, Gasconade, Maries, Miller, Pulaski, Phelps, Crawford, Dent, Texas, Wright, Laclede.

XII. The counties of Cass, Bates, Henry, St. Clair, Vernon, Cedar, Barton, Dade, Jasper.

XIII. The counties of Newton, McDonald, Barry, Lawrence, Greene, Webster, Christian, Stone, Taney.

XIV. The counties of Douglas, Ozark, Howell, Shannon, Oregon, Carter, Ripley, Butler, Wayne, Bollinger, Cape Girardeau, Scott, Stoddard, Dunklin, Pemiscot, New Madrid, Mississippi.

SOURCES FROM WHICH THE UNITED STATES TERRITORY HAS BEEN OBTAINED.

Popular name of the Territory.	From what country obtained.	Treaty.	Date of Treaty.	Area in square miles.	Cost.
Original thirteen States..	Great Britain..	Treaty of Paris.....	Sept. 3, 1783	830,000	
Louisiana Purchase.....	France.....		Apr. 30, 1803	1,182,752	\$27,267,621-
Florida Purchase.....	Spain.....		Feb. 2, 1819	59,268	98 \$6,489,768.
Texas.....		Annexation of the Republic of Texas....	Dec. 20, 1845	274,356	
California Purchase.....	Mexico.....	Treaty of Guadalupe Hidalgo.....	Feb. 2, 1848	522,568	\$15,000,000.
Gadsden Purchase.....	Mexico.....		Dec. 20, 1853	45,535	\$10,000,000.
Oregon Country	Four Titles. 1. Discovery, Captain Grey, 1792. 2. Exploration, Lewis and Clarke, 1805 3. Settlement, 1811. 4. Treaty with Spain, 1819.			250,000	
Alaska Purchase.....	Russia.....		Mch. 30, 1867	6577,30	\$7,200,000.

MAJORITY AND PLURALITY.

What is meant by Majority and Plurality in an election?

When only two candidates are voted for, for the same office, the one receiving more than one-half has a *majority*; but if there are more than two candidates for the same office then the one who receives the greatest number of votes has a *plurality*, unless he receives over one-half of all votes cast.

A majority means more than one-half.

A plurality means more than any one else.

How are members of the House of Representatives Elected?

They are elected every even year by the voters of the several States, the voters of each Congressional District electing one member.

What is their Term of office?

The term of office is 2 years, and begins on the 4th of March following the election.

What is a Congressman-at-Large?

He is a member elected by the voters of the entire State.

After a new apportionment by Congress, some States will have a larger number of Representatives than during the preceding decade. For instance, New York had *one* additional Representative by the apportionment of 1882. The Legislature failed to *re-district* the State in 1882, and as there were but 33 Congressional districts to elect 34 Representatives, one had to be elected by the voters of the entire State.

What special Qualifications must a Representative possess?

I. He must be 25 years of age, an inhabitant of the State in which elected, and 7 years a citizen of the United States.

NOTE.—By the term *citizen* here is meant, that an alien must have been naturalized 7 years before he can hold this office.

II. He cannot hold any other office under the United States during his continuance in this office.

III. He shall not be appointed to any civil office under the authority of the United States, which shall have been *created*, or the emoluments of which shall have been *increased*, during his term of office.

How are Vacancies in this office filled?

By special election in the district in which the vacancy exists; such election being ordered by the Governor of the State.

NOTE.—The person elected at such special election serves only for the unexpired term.

What are some of the Duties of Representatives?

I. To take the oath of office. (See page 145.)

NOTE.—The oath is administered to the members before taking their seats, by the last Clerk of the House of Representatives, whose duty it is to act as presiding officer until a Speaker shall be elected.

II. To elect from their number a presiding officer, who is called “Speaker.”

III. To elect from outside their number other officers, as Clerk, Sergeant-at-Arms, Doorkeeper, and Postmaster.

IV. A majority constitute a quorum for doing business; judge of the elections, return, and qualifications of their own members; compel the attendance of absent members; determine their own rules of proceedings; punish members for disorderly behavior; and expel a member by a two-thirds’ vote.

V. They may not adjourn for more than three days, or to any other place than that in which the Senate also is sitting, without the consent of the Senate. The same rule applies to Senators.

VI. To have co-ordinate jurisdiction with the Senate in enacting laws.

VII. To have the sole power of originating impeachments.

NOTE.—An impeachment is a specific accusation (and is in the form of an indictment) against a public officer, charging him with a crime or misdemeanor sufficient to put the accused on trial at the bar of the Senate. When a majority of the members of the House has impeached an officer, it appoints a committee to lay the whole matter before the Senate, and to represent the House in its prosecution. The duties of the House of Representatives end here.

VIII. All bills for *revenue* must originate in the House of Representatives, but the Senate may propose or concur in amendments as in other bills.

IX. To select a President of the United States, when the electors fail to elect one. (See pages 91–92.)

This has occurred twice. Thomas Jefferson was elected in 1801, and John Quincy Adams in 1825. (See page v.)

How are Territories represented?

Each Territory is entitled to one delegate, who has the privilege of presenting the claims of his Territory; but has no vote. (See page 73.)

THE SENATE.

How are United States Senators elected?

By the Legislatures of the several States, for a term of 6 years.

NOTE.—When a Senator is to be elected, each body of a Legislature by a *viva voce* vote of each member present on the second Tuesday after the meeting and organization thereof, names a candidate for Senator.

The two houses meet in joint assembly, the day following, and if the same person has received a majority of all the votes cast in each house (a quorum being present) he is declared duly elected Senator of the United States.

If no person has received such majority, then the joint assembly proceeds by *viva voce* vote to elect a Senator, and continues to vote at least once each day during the session, or until a Senator shall be elected. For manner of *viva voce* voting see page 56.

How were Senators Classified according to the Constitution, at the first meeting?

I. There were only 19 Senators at the opening. The names of 6 were put into one class, 7 into another, and 6 into another.

II. No two Senators' names from the same State were put into one class.

III. Three papers of equal size numbered one, two, and three, were rolled up and put into a box, and drawn by a committee of three persons chosen for this purpose in behalf of the respective classes in which each of them was placed.

IV. Senators of the first class were to vacate their seats in 2 years; of the second, in 4 years; of the third, in 6 years.

V. By a resolution of Congress in 1789, it was decided that when Senators take their seats from States that have not before appointed Senators, they shall be placed by lot in the foregoing classes in such manner as shall keep the classes as nearly equal as may be in numbers.

VI. Two or four years will intervene between two successive expirations of Senatorial terms in any State.

What special Qualifications must a Senator possess?

I. He must be 30 years of age, an inhabitant of the State in which elected, and 9 years a citizen of the United States.

II. He must be free from the restrictions in regard to holding office heretofore given for Representatives.

What are they?

How are Vacancies in this office filled?

I. If a vacancy occurs during the recess of a Legislature of any State, the Governor of such State may make

a temporary appointment, which will expire at the meeting of the Legislature.

II. If the Legislature of a State be in session at the time a vacancy occurs, the Legislature will proceed to fill such vacancy by voting as in the case of a full term.

NOTE.—The person elected to fill a vacancy serves only for the unexpired term.

DUTIES.

What are some of the Duties of Senators?

I. To take the oath of office. (See page 145.) The oath will be administered by the Clerk of the Senate.

II. To elect their Clerk, Sergeant-at-Arms, Door-keeper, and Postmaster. These officers are not members of the Senate.

III. Sections IV., V., and VI., under duties for Representatives, apply to Senators likewise. What are they?

IV. The Senate, sitting as a court, has sole power to try all impeachments.

NOTE 1.—The Chief Justice shall preside when the President of the United States is being tried.

NOTE 2.—It requires two-thirds of the members present to concur in order to convict.

Compare pp. 57, 58, 105.

NOTE 3.—The following persons have been tried by this Court :

1. William Blount, United States Senator from Tennessee was impeached by the House of Representatives in 1797, tried by the Senate, and *expelled*. The charge was "That he had intrigued when Governor of the Territory, to transfer New Orleans and the neighboring districts, then belonging to Spain, to Great Britain, by means of a joint expedition of English and Indians."

2. John Pickering, District Judge, N. H., was impeached by the House of Representatives in 1803. Senate failed to convict.

3. Samuel Chase, Associate Justice, was impeached, tried by the Senate in 1805, and discharged.

4. James H. Peck, District Judge, Missouri, was impeached, tried by the Senate, in 1830, and discharged.

5. The impeachment (or indictment) of Andrew Johnson in 1868, consisted of 11 articles or counts. Only three of those articles or counts were

acted upon, the vote standing 34 for conviction, and 19 against. He was not convicted. Repeat the provisions of the Constitution as to impeachments, pages 115 and 116.

V. To ratify or reject treaties proposed by the President of the United States, two-thirds of the Senators present concurring. (See page 140.)

VI. To confirm or reject appointments made by the President. (See page 95.)

VII. To elect a Vice-President of the United States in case the electors fail so to do. (See page 91.)

VIII. To elect a President *pro tempore*. This is usually done at the close of the first *Executive Session* of the Senate after the inauguration of the new Vice-President, so that if the Vice-President should be called upon to perform the duties of President, the Senate would not be without a presiding officer. (See page 92.)

IX. The President *pro tempore* of the Senate may *act* as Vice-President, in case of a vacancy, but can *never be in fact* a Vice-President, because the President *pro tempore* may be less than 35 years of age, or born in a foreign country, and consequently may be ineligible to the office of Vice-President.

NOTE.—For further legislative powers, such as levying duties, coining money, fixing the standard of weights and measures, establishing post-offices and post-roads, inferior courts, punishment of piracies, etc., see page 119.

How are Congresses named?

By ordinal number. The 51st Congress will come into power March 4, 1889, and at the close of two years will be followed by the 52d Congress, a new Congress succeeding to power every two years.

When does Congress meet?

The Constitution provides that Congress shall meet the first Monday in December, in each year; consequently, there can be no session of a *new Congress* until that time, unless ordered by the President.

The *first* regular session of a Congress may continue a full year. The *second* regular session must close on the third of March, at which time the term of the members of the House of Representatives expires.

What is meant by the Senate having Executive Sessions?

I. An executive session is for the purpose of ratifying treaties, confirming appointments made by the President, etc.

II. It is a meeting of the Senate only, and is sometimes called by the President when Congress is not in session. At the commencement of a presidential term, the Senate is convened for the purpose of confirming the Cabinet and other appointive officers.

May the Presiding Officers vote

I. The Speaker of the House of Representatives, being a member of the House, is always entitled to a vote upon any question.

II. The Vice-President not being a member of the Senate, is entitled to vote only in case of a tie in the Senate.

III. The President *pro tempore*, as presiding officer, is entitled to vote upon all questions, because he is a member of the Senate. (Compare page 58.)

What are the Salaries of Congressmen?

I. The Speaker of the House receives a salary of \$8000.

II. The President *pro tem.* of the Senate receives a salary of \$8000.

III. Senators, Representatives, and Delegates (see page 73) receive \$5000 a year, and 20 cents a mile for travel in going to and returning from Washington.

What are the Standing Committees of Congress?

I. Both houses have standing committees, among which are the following: Ways and Means, Foreign Relations, Finance, Appropriations, Judiciary, Commerce, Military Affairs, Naval Affairs, Indian Affairs, Elections, Banking and Currency, Railroads, etc.

II. These committees are appointed in the House of Representatives by the Speaker; in the Senate, by the members of the Senate.

III. Each committee has a chairman and secretary: the chairman of any committee, by a law of 1863, is empowered to administer oaths to witnesses in any case under consideration.

IV. Special committees are appointed for the examination of special cases.

V. The object of having committees is to expedite business: bills and matter pertaining to a particular subject are referred to the committee having that subject in charge; the committee investigates, and reports in proper form to the House or the Senate as the case may be.

COMMITTEE OF THE WHOLE.

Explain the manner in which a deliberative body is resolved into a Committee of the Whole.

I. A member of the House of Representatives, Senate, or any other deliberative body, moves that that

body resolve itself into a Committee of the Whole for the consideration of a particular subject : if carried, the Speaker or presiding officer leaves the chair, naming some member to take his place as chairman.

II. The Speaker or presiding officer becomes a member of the committee, and can take part in the debate as other members.

III. The Committee of the Whole cannot conclude any business and cannot adjourn.

IV. When the discussion is completed, some member moves that the Committee of the Whole do “now rise”; whereupon the Speaker resumes his place in the chair, and the chairman reports to him the business which was transacted in the Committee of the Whole.

V. If the House or any other body while in Committee of the Whole desires to adjourn, *it rises*, and only after the chairman “reports progress” to the Speaker is a motion to adjourn in order.

VI. The object of going into a Committee of the Whole is to get rid of those rules which hinder and retard free debate.

CONSTITUTIONAL PROVISIONS.

NATURALIZATION.

Explain the process of Naturalization.

I. Aliens, persons born in other countries, may become citizens in five years after coming to this country by complying with certain rules.

II. They must make a declaration of intention on oath before a court of competent jurisdiction, desiring to become citizens, except as in Sec. V, and except where an alien became resident in the U. S. before arriving at the age of 18 yrs.

NOTE.—A circuit or district court of the United States, or a district or supreme court of Territories, or a court of record of any of the States having common law jurisdiction, is a court of competent jurisdiction.

III. Five years must have elapsed after a foreigner becomes a resident, and two years after a declaration of intention as above, before he can become a citizen. At this time he must take the oath of allegiance.

IV. The oath of allegiance must be preceded by the oath of other witnesses—to the 5 years' residence, and good moral character of the applicant.

V. An exception to this is, that an alien soldier having served in the Union Army one year and having obtained an honorable discharge, may become a citizen of the United States on making oath to these facts and taking the oath of allegiance.

VI. When a foreigner becomes naturalized, his children under 21 years of age, if residents of the United States at the time, become citizens without further formality.

VII. If a foreigner makes his declaration of intention to become a citizen of the United States, and dies before the time to become fully naturalized, his wife and children become citizens at that time, on taking the oath of allegiance.

HABEAS CORPUS

What is a writ of Habeas Corpus?

I. An instrument in writing issued by a judge, commanding the sheriff or whoever has the prisoner in charge, to bring him before the judge.

II. The case is not tried, but the judge simply examines the case to see whether the imprisonment is lawful;

that is, whether any crime is charged, or whether there is any proper complaint, or commitment.

III. If the prisoner be lawfully held, he may send him back to prison, or if unlawfully held, release him.

IV. This famous writ protects the rights of personal liberty by causing the case of the person under arrest to be examined by a competent judge.

V. The privilege of this writ shall not be suspended, unless, when in cases of rebellion or invasion, the public safety requires it. (See page 137.)

NOTE.—The writ of *habeas corpus* was suspended by President Lincoln, May, 1861; in December of the same year, Congress passed an act approving the action of the President, and authorizing the suspension of the writ as long as he should deem it necessary.

EX POST FACTO LAWS.

What is an Ex Post Facto Law?

An Ex Post Facto Law, as defined by the Supreme Court of the United States, is one which renders an act punishable in a manner in which it was not punishable when the act was committed. For this and other prohibitions, see pages 137 and 138.

TREASON.

What is Treason?

I. Treason against the United States consists in levying war against them, or in adhering to their enemies, giving them aid and comfort.

II. A conviction requires the testimony of two witnesses to the same overt act, or a confession in open court.

III. The trial for treason will be conducted in all respects like any other criminal trial for a capital offence.

V. The penalty may be death, but by an act of Congress July 17, 1862, the punishment is discretionary

with the Court, and may be imprisonment for not less than five years, and a fine of not less than \$10,000.

NOTE.—No person has ever been convicted of treason in the United States. Jefferson Davis was captured May 10, 1865, and placed in Fortress Monroe, May 19, where he was confined for two years. In May, 1867, he was brought before the United States Circuit Court at Richmond on a *charge of treason*, and was admitted to bail. In December, 1868 he was discharged.

POLITICAL DISABILITIES.

What persons were deprived by the Fourteenth Amendment from holding any civil or military appointment under the United States?

I. Those who, having taken an oath as a member of Congress, or

II. As an officer of the United States, or

III. As a member of any State Legislature, or

IV. As an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in the insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. (See page 151.)

How were these Disabilities removed?

I. By laws enacted by Congress to that effect by a two-thirds' vote.

II. By the same being proclaimed by the President in the several amnesty proclamations of May 29, 1867, in which fourteen classes of persons were excepted, followed by other proclamations dated September 7, 1867; July 4, 1868; December 25, 1868.

NOTE.—The last one was as follows: "I do hereby proclaim and declare, unconditionally and without reservation, to all and to every person who directly or indirectly participated in the late insurrection or rebellion a full pardon and amnesty for the offence of treason against the United States."

AMENDMENTS.

How may Amendments be made to the Constitution?

I. Whenever two-thirds of both houses of Congress

shall deem it necessary, they may prepare amendments, which shall become binding when ratified by the Legislatures of three-fourths of the States.

NOTE.—The above is the usual way.

II. On application of the Legislatures of two-thirds of the States, Congress shall call a convention for proposing amendments, which must be ratified in conventions held by three-fourths of the States.

III. A prohibition in regard to amendments is that no State without its consent shall be deprived of its equal suffrage in the Senate. (See page 144.)

NOTES ON NATURALIZATION.

I. All persons born in this country are citizens.

II. Children under 21 years of age, born in other countries, become naturalized by the naturalization of the father.

III. When a foreigner has lived in this country *three years* and has made application to become a citizen, and the application is on file in the office of the Secretary of State, he is then entitled to hold lands by deed and convey the same lawfully: he is also entitled to vote at school meetings, but for no other officers until fully naturalized.

IV. Any woman, who might lawfully be naturalized under the existing laws, *married, or who shall be married to a citizen* of the United States, shall be deemed and taken to be a citizen.

MISCELLANEOUS QUESTIONS.

The following questions and answers are given for the purpose of keeping some of the more difficult points before the minds of the advanced students.

What is a Quorum ?

A *majority* of either body in the General Assembly or in Congress constitutes a quorum for doing business. See pp. 56, 104.

Where do Bills originate ?

Bills may originate in either house of the General Assembly ; but in Congress, all bills for raising revenue must originate in the House of Representatives : but the Senate may propose or concur with amendments as on any other bills. See pp. 60, 133.

What is the Court of Impeachment ?

In both the State of Missouri and the United States, the Senate is the Court of Impeachment.

Who may grant Reprieves and Pardons ? See pp. 64, 94.

What is an Ex-post Facto Law ? See pp. 113.

What is a Writ of Habeas Corpus. See pp. 112, 137.

What is Treason ? See page 113.

NOTE.—A difficulty existed between Aaron Burr and Alexander Hamilton, growing out of a political controversy which culminated in a duel, fought July 11, 1804, in which the latter was killed. Burr was disfranchised by the laws of New York, for having fought a duel, and was indicted for murder in New Jersey. His term of office as Vice-President closed March 4, 1805. In

April he started on a tour through the western country, and was suspected of being engaged in a scheme of forming a new government on the borders, and perhaps partly within the United States.

His proceedings excited alarm, and Nov. 27, 1806, President Jefferson issued a proclamation against him; being arrested in Alabama, Feb. 19, 1807, he was brought to Richmond, Va., for trial for high treason. The trial commenced March 27, and lasted till Sept. 7. No overt act of treason was proven, and the verdict of the jury was "Not Guilty under the Indictment."

What was Attainder?

In old English law, the extinction of civil rights, and the forfeiture of estate which followed, when a person was condemned to death for treason or felony, or when judgment of outlawry had been pronounced against him for not appearing to answer to a capital crime.

What was a Bill of Attainder?

It was a *legislative* conviction for alleged crimes with judgment of death.

It is forbidden by our Constitution. See page 137.

What are letters of Marque and Reprisal?

They are commissions issued by a government to private persons, authorizing them to seize the property of a foreign nation or its subjects, as a reparation for some injury. Congress has exclusive power to grant them. See page 135.

What is Capital Punishment?

It is punishment by death, and is inflicted as a penalty for murder, treason, and arson in the first degree.

What is Arson?

It is *maliciously* burning any dwelling-house, shop, or any building, the property of another.

NOTE.—The burning of an inhabited dwelling in the night-time is arson in the *first degree*.

What is Burglary?

It is forcibly breaking into and entering in the *night-time* the dwelling-house of another with intent to commit a crime.

What is Larceny?

It is wrongfully taking of another's personal property, with the intent to deprive him of it permanently.

NOTE.—If the property taken amounts to twenty-five dollars and upwards, the crime is *grand larceny*, and is a state's prison offence. If less than twenty-five dollars (unless second offence), it is *petit larceny* and is punishable by fine or imprisonment in jail or both.

What is Slander?

Slander is a *false* statement about another, which injures him in his reputation or business. If the person slandered proves that he has been damaged, the slanderer may be compelled to pay heavy damages. A person is liable for *repeating* a slander, the same as though he originated it.

What is Libel?

A libel is a *false* publication in print or writing, signs or pictures, tending to injure a person in his reputation or business, or to expose him to public hatred, contempt, or ridicule. A person may be liable for heavy damages for words printed or written, for which he would not be liable if merely spoken, because of their wider circulation.

What is Forgery?

Forgery consists in *falsely* making, counterfeiting, or altering any instrument in writing with intent to defraud.

What is Counterfeiting?

Counterfeiting is the general term for making false coin and paper money, or passing it.

What is Bribery?

Bribery is the offering money or other reward, or accepting money or some other reward for the purpose of influencing votes, for securing anything against justice. See Cons. of New York, page 158.

What is Perjury?

Perjury is stating material matter *falsely*, under the solemnity of a legal oath.

What is Robbery?

Robbery is the taking of personal property from another in his presence and against his will by violence, or by putting him in fear of immediate injury to his person.

What is Bigamy?

The crime of bigamy consists in a man's having two or more living wives at the same time, or a woman's having two or more living husbands at the same time. Where done openly by a class professing to consider it right, it is called polygamy, or polyandry.

What is Murder?

Murder is the killing of a human being deliberately and maliciously, and with intent to effect death.

NOTE.—The law specifies different degrees of murder. Murder in the first degree is punishable by *death*; in the other degrees, by *imprisonment* for longer or shorter times.

What is Embezzlement?

Embezzlement consists in fraudulently taking what is intrusted to one by another, with intent to apply to one's own use; and is usually punishable in the same manner as larceny of the same amount.

THE
Declaration of Independence,
AND THE
CONSTITUTION
OF THE
UNITED STATES.

DECLARATION OF INDEPENDENCE.

IN CONGRESS, JULY 4, 1776.

THE UNANIMOUS DECLARATION OF THE THIRTEEN UNITED STATES OF AMERICA.

When in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitles them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government; laying its foundation on such principles, and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate, that governments long

established should not be changed for light and transient causes; and accordingly all experience hath shown that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of these colonies, and such is now the necessity which constrains them to alter their former systems of government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these States. To prove this, let facts be submitted to a candid world.

He has refused his assent to laws, the most wholesome and necessary for the public good.

He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained; and when so suspended he has utterly neglected to attend to them.

He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature, a right inestimable to them, and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved representative houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise; the State remaining, in the meantime, exposed to all the dangers of invasion from without, and convulsions within.

He has endeavored to prevent the population of these States; for that purpose obstructing the laws for naturalization of foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new appropriations of lands.

He has obstructed the administration of justice by refusing his assent to laws for establishing judiciary powers.

He has made judges dependent on his will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of new offices, and sent hither swarms of officers to harass our people, and eat out their substance.

He has kept among us, in times of peace, standing armies, without the consent of our legislatures.

He has affected to render the military independent of and superior to the civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his assent to their acts of pretended legislation:

For quartering large bodies of armed troops among us:

For protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these States:

For cutting off our trade with all parts of the world:

For imposing taxes on us without our consent:

For depriving us, in many cases, of the benefits of trial by jury:

For transporting us beyond seas to be tried for pretended offences:

For abolishing the free system of English laws in a neighboring province, establishing therein an arbitrary government, and enlarging its boundaries, so as to render it at once an example and fit instrument for introducing the same absolute rule into these colonies.

For taking away our charters, abolishing our most valuable laws, and altering fundamentally the forms of our governments:

For suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated government here, by declaring us out of his protection, and waging war against us.

He has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people.

He is, at this time, transporting large armies of foreign mercenaries to complete the works of death, desolation and tyranny, already begun, with circumstances of cruelty and perfidy, scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation.

He has constrained our fellow citizens, taken captive on the high seas, to bear arms against their country, to

become the executioners of their friends and brethren, or to fall themselves by their hands.

He has excited domestic insurrections amongst us, and has endeavored to bring on the inhabitants of our frontiers the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes and conditions.

In every stage of these oppressions we have petitioned for redress in the most humble terms; our repeated petitions have been answered only by repeated injury. A prince whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people.

Nor have we been wanting in attentions to our British brethren. We have warned them from time to time, of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity which denounces our separation, and hold them, as we hold the rest of mankind, enemies in war, in peace friends.

We, therefore, the Representatives of the United States of America, in General Congress assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the name, and by authority of the good people of these colonies, solemnly publish

and declare, that these United Colonies are, and of right ought to be, *free and independent States* ; they are absolved from all allegiance to the British crown, and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved; and that as *free and independent States*, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which *independent States* may of right do. And for the support of this declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor.

JOHN HANCOCK, and 54 other signers.

THE CONSTITUTION OF THE UNITED STATES OF AMERICA.

PREAMBLE.

We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this constitution for the United States of America.

ARTICLE I.—Legislative.

SECTION 1.—CONGRESS.

1. All legislative powers herein granted shall be vested in a congress of the United States, which shall consist of a senate and house of representatives.

SECTION 2.—HOUSE OF REPRESENTATIVES.

1. *Election*.—The house of representatives shall be composed of members chosen every second year by the people of the several states; and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

2. *Qualifications*.—No person shall be a representative who shall not (1) have attained to the age of twenty-five years, and (2) been seven years a citizen of the

United States, and who shall not (3) when elected, be an inhabitant of that State in which he shall be chosen.

3. *Apportionment*.—Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of representatives shall not exceed one for every thirty thousand, but each State shall have at least one representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose three; Massachusetts eight; Rhode Island and Providence Plantations, one; Connecticut, five; New York, six; New Jersey, four; Pennsylvania, eight; Delaware, one; Maryland six; Virginia, ten; North Carolina, five; South Carolina, five; and Georgia three.

4. *Vacancies*.—When vacancies happen in the representation from any State, the executive authority thereof shall issue writs of election to fill such vacancies.

5. *Officers*.—The house of representatives shall choose their speaker and other officers, and shall have the sole power of impeachment.

SECTION 3.—SENATE.

1. *Election*.—The senate of the United States shall be composed of two senators from each State chosen by the

legislature thereof, for six years; and each senator shall have one vote.

2. Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year; and if vacancies happen, by resignation or otherwise, during the recess of the legislature of any State, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.

3. *Qualifications.*—No person shall be a senator who shall not have (1) attained the age of thirty years, and (2) been nine years a citizen of the United States, and who shall not (3), when elected, be an inhabitant of that State for which he shall be chosen.

4. *Officers.*—The vice-president of the United States shall be president of the senate, but shall have no vote unless they be equally divided.

5. The senate shall choose their other officers, and also a president *pro tempore* in the absence of the vice-president, or when he shall exercise the office of president of the United States.

6. *Impeachments.*—The senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the president of the United States is tried, the chief justice shall preside; and no person shall be convicted

without the concurrence of two-thirds of the members present.

7. Judgments in cases of impeachments shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust or profit under the United States; but the party convicted shall, nevertheless, be liable and subject to indictment, trial, judgment and punishment, according to law.

SECTION 4.—ELECTIONS AND MEETINGS.

1. *Elections*.—The times, places and manner of holding elections for senators and representatives shall be prescribed in each State by the legislature thereof; but the congress may at any time by law make or alter such regulations, except as to the place of choosing senators.

2. *Meetings*.—The congress shall assemble at least once in every year; and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

SECTION 5.—ORGANIZATION.

1. *Quorum*.—Each house shall be the judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner and under such penalties as each house may provide.

2. *Rules*.—Each house may determine the rule of its proceedings, punish its members for disorderly behavior, and with the concurrence of two-thirds, expel a member.

3. *Journal*.—Each house shall keep a journal of its proceedings, and from time to time publish the same,

excepting such parts as may, in their judgment, require secrecy; and the yeas and nays of the members of either house on any question shall, at the desire of one-fifth of those present, be entered on the journal.

4. *Adjournment*.—Neither house, during the session of congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

SECTION 6.—MEMBERS AS INDIVIDUALS.

1. *Pay and Privileges*.—The senators and representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States. They shall in all cases except treason, felony and breach of the peace, be privileged from arrest during their attendance at the sessions of their respective houses, and in going to and returning from the same; and for any speech or debate in either house they shall not be questioned in any other place.

2. *Prohibitions*.—No senator or representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased, during such time; and no person holding any office under the United States shall be a member of either house during his continuance in office.

SECTION 7.—REVENUE; THE VETO.

1. *Revenue Bills*.—All bills for raising revenue shall originate in the house of representatives; but the senate may propose or concur with amendments as on other bills.

2. *The Veto*.—Every bill which shall have passed the house of representatives and the senate shall, before it becomes a law, be presented to the president of the United States; if he approve, he shall sign it; but if not he shall return it, with his objections, to that house in which it shall have originated; who shall enter the objections at large on their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered; and, if approved by two-thirds of that house, it shall become a law. But in all cases, the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the president within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the congress, by their adjournment, prevent its return, in which case it shall not be a law.

3. Every order, resolution or vote, to which the concurrence of the senate and the house of representatives may be necessary (except on a question of adjournment), shall be presented to the president of the United States; and, before the same shall take effect, shall be approved by him; or, being disapproved by him shall be repassed by two-thirds of the senate and house of representatives, according to the rules and limitations prescribed in the case of a bill.

SECTION 8.—LEGISLATIVE POWERS.

The congress shall have power:

1. To lay and collect taxes, duties, imposts, and excises; to pay the debts and provide for the common defence and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States.

2. To borrow money on the credit of the United States.

3. To regulate commerce with foreign nations, and among the several States, and with the Indian tribes.

4. To establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States.

5. To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures.

6. To provide for the punishment of counterfeiting the securities and current coin of the United States.

7. To establish post-offices and post-roads.

8. To promote the progress of science and useful arts, by securing for limited times, to authors and inventors, the exclusive right to their respective writings and discoveries.

9. To constitute tribunals inferior to the supreme court; to define and punish piracies and felonies committed on the high seas, and offences against the law of nations.

10. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water.

11. To raise and support armies; but no appropriation of money to that use shall be for a longer term than two years.

12. To provide and maintain a navy.

13. To make rules for the government and regulation of the land and naval forces.

14. To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions.

15. To provide for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service of the United States; reserving to the States respectively the appointment of the officers and the authority of training the militia according to the discipline prescribed by congress.

16. To exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular States, and the acceptance of congress, become the seat of government of the United States; and to exercise like authority over all places purchased, by the consent of the legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings; and

17. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States, or in any department or officer thereof.

SECTION 9.—GENERAL PROHIBITIONS.

1. The migration or importation of such persons as any of the States now existing shall think proper to

admit, shall not be prohibited by the congress prior to the year one thousand eight hundred and eight; but a tax or duty may be imposed on such importation not exceeding ten dollars for each person.

2. The privilege of the writ of *habeas corpus* shall not be suspended, unless when, in cases of rebellion or invasion, the public safety may require it.

3. No bill of attainder, or *ex post facto* law shall be passed.

4. No capitation or other direct tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken.

5. No tax or duty shall be laid on any articles exported from any State. No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another; nor shall vessels bound to or from one State be obliged to enter, clear or pay duties in another.

6. No money shall be drawn from the treasury but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

7. No title of nobility shall be granted by the United States; and no person holding any office of profit or trust under them shall, without the consent of the congress, accept of any present, emolument, office, of any kind whatever, from any king, prince, or foreign state.

SECTION 10.—PROHIBITIONS UPON THE STATES.

1. *Absolute*.—No State shall (1) enter into any treaty, alliance or confederation; (2) grant letters of marque

and reprisal; (3) coin money; (4) emit bills of credit; (5) make any thing but gold and silver coin a tender in payment of debts; (6) pass any bill of attainder, *ex post facto* law, or law impairing the obligation of contracts; or (7) grant any title of nobility.

2. *Except by Consent of Congress.*—No State shall, without consent of congress, (1) lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts laid by any State on imports or exports shall be for the use of the treasury of the United States, and all such laws shall be subject to the revision and control of the congress. No State shall, without the consent of the congress, (2) lay any duty of tonnage, (3) keep troops or ships of war in time of peace, (4) enter into any agreement or compact with another State, or with a foreign power, or (5) engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

ARTICLE II—Executive.

SECTION 1.—THE PRESIDENT AND VICE-PRESIDENT.

1. *Election.*—The executive power shall be vested in a president of the United States of America. He shall hold his office during the term of four years; and together with the vice-president chosen for the same term, be elected as follows:

2. Each State shall appoint, in such manner as the legislature thereof may direct a number of electors equal to the whole number of senators and representatives to which the State may be entitled in the congress; but no senator or representative, or person holding an office of

trust or profit under the United States, shall be appointed an elector.

(Paragraph 3 has been superseded and annulled by 12th amendment.)

4. The congress may determine the time of choosing the electors, and the day on which they shall give their votes, which day shall be the same throughout the United States.

5. *Qualifications*.—No person, except (1) a natural born citizen or a citizen of the United States at the time of the adoption of this constitution shall be eligible to the office of president; neither shall any person be eligible to that office who shall not have (2) attained to the age of thirty-five years, and (3) been fourteen years a resident within the United States.

6. *Vacancy*.—In case of the removal of the president from office, or of his death, resignation or inability to discharge the powers and duties of the said office, the same shall devolve on the vice-president; and the congress may, by law, provide for the case of removal, death, resignation or inability, both of the president and vice-president, declaring what officer shall then act as president, and such officer shall act accordingly, until the disability be removed, or a president shall be elected.

7. *Salary*.—The president shall, at stated times, receive for his services a compensation which shall neither be increased nor diminished during the period for which he shall have been elected; and he shall not receive within that period any other emolument from the United States, or any of them.

8. *Oath*.—Before he enter on the execution of his office, he shall take the following oath of affirmation:

“ I do solemnly swear (or affirm) that I will faithfully execute the office of president of the United States; and will, to the best of my ability, preserve, protect and defend the constitution of the United States.”

SECTION 2.—POWERS.

1. The president shall be (1) commander-in-chief of the army and navy of the United States, and of the militia of the several States, when called into the actual service of the United States. He may (2) require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices; and he shall (3) have power to grant reprieves and pardon for offences against the United States, except in cases of impeachment.

2. He shall (4) have power, by and with the advice and consent of the senate, to make treaties, provided two-thirds of the senators present concur; and he shall (5) nominate, and by and with the advice and consent of the senate shall appoint, (*a*) ambassadors, (*b*) other public ministers and consuls, (*c*) judges of the supreme court, and (*d*) all other officers of the United States whose appointments are not herein otherwise provided for, and which shall be established by law. But the congress may, by law, vest the appointment of such inferior officers as they think proper, in the president alone, in the courts of law, or in the heads of departments.

3. The president shall (6) have power to fill up all vacancies that may happen during the recess of the senate, by granting commissions which shall expire at the end of their next session.

SECTION 3.

1. He shall, from time to time, (7) give to the congress information of the state of the Union, and (8) recommend to their consideration such measures as he shall judge necessary and expedient. He may, (9) on extraordinary occasions, convene both houses, or either of them; and in case of disagreement between them with respect to the time of adjournment, he may (10) adjourn them to such time as he shall think proper. He shall (11) receive ambassadors and other public ministers. He shall (12) take care that the laws be faithfully executed; and shall (13) commission all the officers of the United States.

SECTION 4.—IMPEACHMENTS.

1. The president, vice-president and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery or other higher crimes or misdemeanors.

ARTICLE III.—Judicial.

SECTION 1.—COURTS.

1. The judicial power of the United States shall be vested in one supreme court, and in such inferior courts as the congress may, from time to time, ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behavior; and shall, at stated times, receive for their services a compensation, which shall not be diminished during their continuance in office.

SECTION 2.—JURISDICTION.

1. *Extent.*—The judicial power shall extend to (1) all cases in law and equity arising under this constitution,

the laws of the United States and treaties made, or which shall be made under their authority; to (2) all cases affecting ambassadors, other public ministers and consuls; to (3) all cases of admiralty and maritime jurisdiction; to (4) controversies to which the United States shall be a party; to controversies (5) between two or more States; (6) between a State and citizens of another State; (7) between citizens of different States; (8) between citizens of the same State claiming lands under grants of different States and (9) between a State, or the citizens thereof, and foreign States, citizens or subjects.

2. *Original and appellate.*—In all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be party, the supreme court shall have original jurisdiction. In all the other cases before mentioned, the supreme court shall have appellate jurisdiction, both as to law and fact, with such exceptions and under such regulations as the congress may make.

3. *Criminal.*—The trial of all crimes, except in cases of impeachment, shall be by jury, and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the congress may by law have directed.

SECTION 3.—TREASON.

1. *Definition and proof.*—Treason against the United States shall consist only in levying war against them or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason, unless

on the testimony of two witnesses to the same overt act, or on confession in open court.

2. *Limit.*—The congress shall have power to declare the punishment of treason; but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attained.

ARTICLE IV.—Relations of States.

SECTION 1.—PUBLIC RECORDS.

1. Full faith and credit shall be given in each State to the public acts, records and judicial proceedings of every other State; and the congress may, by general laws, prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof.

SECTION 2.—RIGHTS OF CITIZENS.

1. *In other States.*—The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

2. *Extradition.*—A person charged in any State with treason, felony or other crime, who shall flee from justice, and be found in another State, shall, on demand of the executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

3. *A relic of slavery.*—No person held to service or labor in one State under the laws thereof, escaping into another shall, in consequence of any law or regulation therein, be discharged from such services or labor; but shall be delivered upon claim of the party to whom such service or labor may be due.

SECTION 3.—NEW STATES AND TERRITORIES.

1. *New States*.—New States may be admitted by the congress into this Union; but no new State shall be formed or erected within the jurisdiction of any other State, nor any State be formed by the junction of two or more States, or parts of States, without the consent of the legislatures of the States concerned, as well as of the congress.

2. *Territories*.—The congress shall have power to dispose of, and make all needful rules and regulations respecting, the territory or other property belonging to the United States; and nothing in this constitution shall be so construed as to prejudice any claims of the United States, or of any particular State.

SECTION 4.—NATIONAL PROTECTION.

1. The United States shall guarantee to every State in this union a republican form of government, and shall protect each of them against invasion; and, on application of the legislature, or of the executive (when the legislature cannot be convened), against domestic violence.

ARTICLE V.—Amendments.

1. The congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this constitution; or, on the applications of the legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this constitution when ratified by the legislatures of three-fourths of the several States, or in conventions of

three-fourths thereof, as the one or the other mode of ratification may be proposed by congress; provided that no amendment, which may be made prior to the year one thousand eight hundred and eight, shall in any manner affect the first and fourth clause in the ninth section of the first article, and that no State without its consent, shall be deprived of its equal suffrage in the senate.

ARTICLE VI.—Sundry Provisions.

1. *National debts*.—All debts contracted and engagements entered into before the adoption of this constitution shall be as valid against the United States under this constitution, as under the confederation.

2. *National law supreme*.—This constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the constitution or laws of any State to the contrary notwithstanding.

3. *Oaths*.—The senators and representatives before mentioned, and members of the several State legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation to support this constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

ARTICLE VII.—Establishment.

1. The ratification of the conventions of nine States shall be sufficient for the establishment of this constitution between the States so ratifying the same.

[Constitution ratified by States 1787—1790.]

AMENDMENTS.

I.—Freedom of Religion, Speech, and Petition.

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.—(1791.)

II.—Arms.

A well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed.—(1791.)

III.—Quartering of Soldiers.

No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war but in a manner to be prescribed by law.—(1791.)

IV.—Search Warrants.

The right of the people to be secure in their persons, houses, paper and effects, against unreasonable searches and seizures, shall not be violated; and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.—(1791.)

V.—Criminal Proceedings.

No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual

service in time of war or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled, in any criminal case, to be a witness against himself, nor be deprived of life, liberty or property, without due process of law; nor shall private property be taken for public use without just compensation.—(1791.)

VI.—Criminal Proceedings.

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law; and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defence. (1791.)

VII.—Trial by Jury.

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact tried by a jury shall be otherwise re-examined in any court of the United States, than according to the rules of the common law.—(1791.)

VIII.—Excessive Punishment.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted. (1791.)

IX.—Rights Not Named.

The enumeration in the constitution of certain rights

shall not be construed to deny or disparage others retained by the people.—(1791.)

X.—Powers Reserved.

The powers not delegated to the United States by the constitution, nor prohibited to it by the States, are reserved to the States respectively, or to the people.—(1791.)

XI.—Suits against States.

The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by citizens of another State, or by citizens or subjects of any foreign State.—(1798.)

XII.—Election of President.

1. The electors shall meet in their respective State, and vote by ballot for president and vice-president, one of whom at least shall not be an inhabitant of the same State with themselves. They shall name in their ballots the persons voted for as president, and in distinct ballots the person voted for as vice-president; and they shall make distinct lists of all persons voted for as president, and for all persons voted for as vice-president, and of the number of votes for each; which lists they shall sign and certify, and transmit sealed to the seat of government of the United States, directed to the president of the senate. The president of the senate shall, in the presence of the senate and house of representatives, open all of the certificates, and the votes shall be counted. The person having the greatest number of votes for president shall be president, if such number be a ma-

jority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest number, not exceeding three, on the list of those voted for as president, the house of representatives shall choose immediately, by ballot, the president. But in choosing the president, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of the States shall be necessary to a choice. And if the house of representatives shall not choose a president, whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the vice-president shall act as president as in case of death or other constitutional disability of the president.

2. The person having the greatest number of votes as vice-president shall be the vice-president, if such number be a majority of the whole number of electors appointed; and if no person have a majority, then from the two highest numbers on the list the senate shall choose the vice-president. A quorum for the purpose shall consist of two-thirds of the number of senators, and a majority of the whole number shall be necessary to a choice.

3. But no person constitutionally ineligible to the office of president shall be eligible to that of vice-president of the United States.—(1804.)

XIII.—Slavery.

1. Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have

been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

2. Congress shall have power to enforce this article by appropriate legislation.—(1865.)

XIV.—Civil Rights.

1. *Civil rights.*—All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of the citizens of the United States; nor shall any State deprive any person of life, liberty or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

2. *Apportionment of representatives.*—Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for president and vice-president of the United States, representatives in congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male persons shall bear to the whole number of male citizens twenty-one years of age in such State.

3. *Political disabilities*.—No person shall be a senator or representative in congress, or elector of president and vice-president, or hold any office, civil or military, under the United States, or under any State, who having previously taken an oath as a member of congress, or as an officer of the United States, or as any member of any State legislature, or as an executive or judicial officer of any State, to support the constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But congress may, by a two-thirds vote of each house, remove such disability.

4. *Public debt*.—The validity of the public debt of the United States authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection and rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

5. The congress shall have power to enforce, by appropriate legislation, the provisions of this article.—(1868.)

XV.—Suffrage.

1. The right of the citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

2. The congress shall have power to enforce this article by appropriate legislation.—(1870.)

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upon the opposite side of the card he knows the sum of the figures.

mence reading, they should have first lessons should be in combining single practice should be given that the pupils to look upon the combination $\frac{4}{9}$ as itself "13," just

Equal readiness should follow in figures are as familiar as combinations of letters in words.

afterwards to abstract numbers on the blackboard, as they are on proper place. Repeat this a few times for the

tions are described cards too rapidly. cards previously used; immediately on presenting the miscellaneous for a particular exercise can be guessed from the preceding in subtraction and multiplication. smaller number is above, pupils will understand, and give the remainder in

tain if new combinations are introduced ready presented are thoroughly be constant.

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